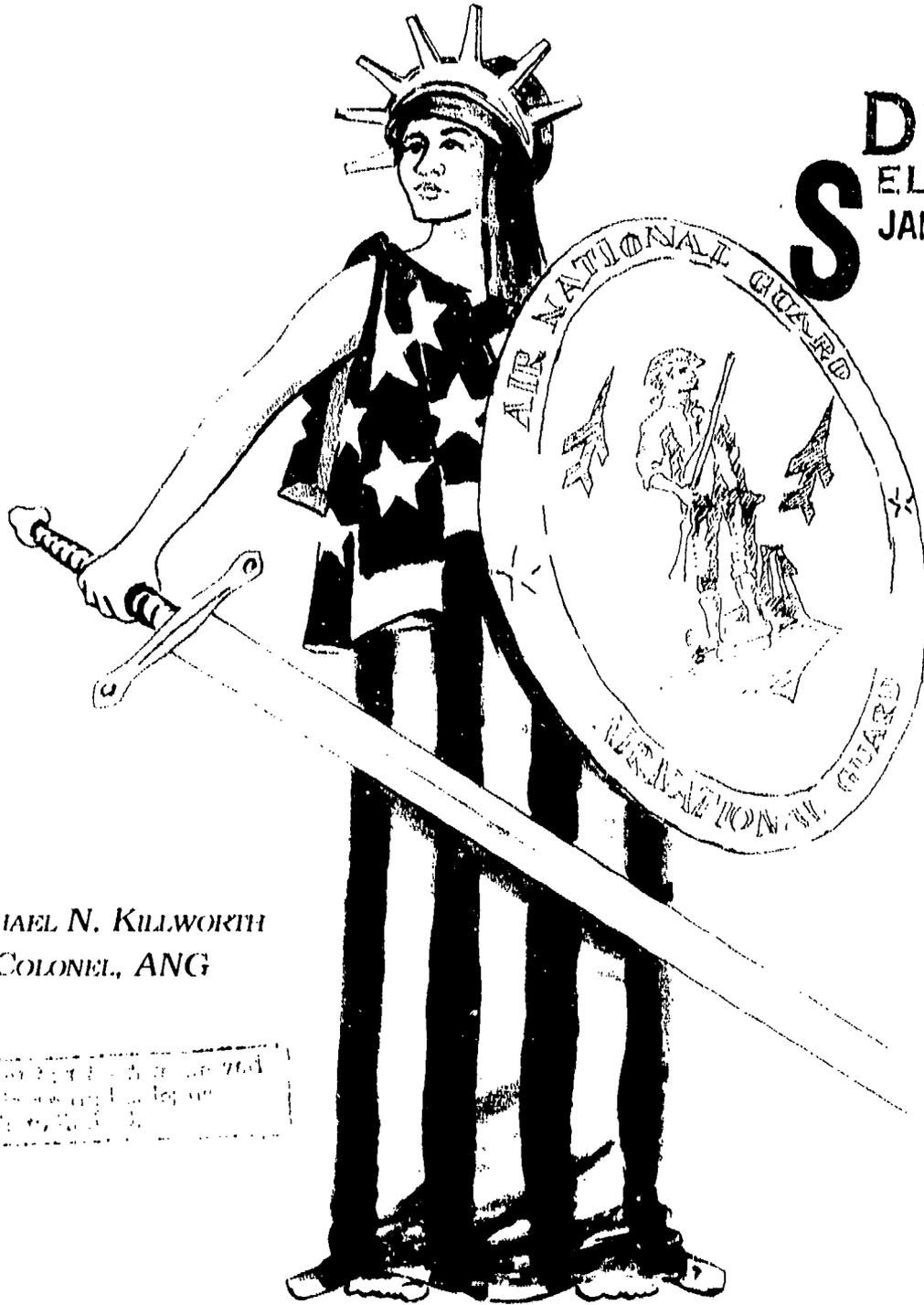




The Silent Call-up Option

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Volunteerism in the Air National Guard



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MICHAEL N. KILLWORTH
COLONEL, ANG

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by

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with
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Air National Guard



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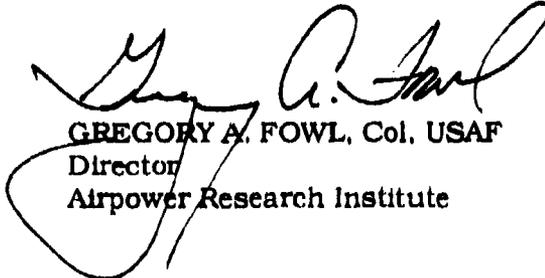
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Foreword

The US Air Force will be more reliant on its reserve organizations because of the reductions in the size of the active duty force. This increased reliance will include the use of Air National Guard (ANG) forces to respond to regional contingencies for which there will be no reserve call-up authority. Volunteerism therefore may be the only available option for Air Force commanders who need access to ANG forces.

This study analyzes the legislation which allows Air Force commanders to access ANG forces and reviews the participation of ANG volunteers in two recent operations, Just Cause and Desert Shield/Storm. Colonel Killworth makes a strong case for the future importance of volunteerism to the Air Force as perhaps the only method available to commanders facing contingencies and needing ANG support.



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About the Author



Col Mike Killworth

Col Michael N. Killworth is an Idaho Air National Guard officer with over 24 years of military service. Commissioned as a distinguished graduate of the Reserve Officer Training Program at the University of Montana in 1967, he started his career as a weapons systems officer in the RF-4C aircraft, flying more than 200 combat missions (100 missions over North Vietnam) while stationed in Thailand. After leaving Thailand, Colonel Killworth was an F-4C pilot for two years in Japan. He then attended US Air Force pilot training, graduating as a distinguished alumnus in 1972. Colonel Killworth was the first Air Force officer to transfer to the ANG under the Palace Chase program, joining the Alabama ANG in 1973 as an RF-4C pilot. In 1975 he transferred to the Idaho ANG, where he continues to serve at this time. His affiliations with the Idaho ANG over the years have included assignments in reconnaissance operations and resources. He currently serves as the executive officer to the state adjutant general and is a command pilot with over 3,000 hours of flying time. His awards and decorations include the Silver Star and the Distinguished Flying Cross. Colonel Killworth's education includes a BA degree in business administration and an MA degree in economics, both from the University of Montana. While writing this research study, he was assigned to the Air University's Center for Aerospace Doctrine, Research, and Education (Airpower Research Institute) at Maxwell Air Force Base, Alabama, where he also attended the Air War College.

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First and foremost I want to acknowledge my family, especially my wife Stephanie, whose love and support is the best thing that has ever happened to me. I also want to express my appreciation to all the Air National Guardsmen, who patiently tolerated my attempts to gain insight on an elusive subject. Whenever dealing directly with Air Guard commanders and staff officers throughout the country, I am always humbled by their dedication, professionalism, and absolute determination to make the ANG the best reserve organization in the world. Many individuals at the National Guard Bureau were also helpful. A special thanks goes to Col Bill Wear and Maj Barron Nesslerodes. Finally, I want to acknowledge the important contribution to this paper made by two members of the staff at the Center for Aerospace Doctrine, Research, and Education: Dr Lewis Ware, chairman of my reading group, and Dr Richard Bailey, my editor. Their help was invaluable.

Introduction

This paper demonstrates the growing importance of volunteerism as a method to employ Air National Guard (ANG) forces during military contingencies and to underscore several issues related to United States Air Force use of ANG volunteers. To accomplish this objective, we must first understand the changing nature of the US national security threat, the unique organizational structure of the Air National Guard, along with its increasingly important total force role, and the relatively restrictive provisions of federal law, which allow Air Force commanders to gain access and control over Air National Guard personnel.

The recent decision to downsize the Air Force during the 1990s, taken in light of the changing threat in Eastern Europe and mounting political pressure to reduce America's budget deficit, is leaving the Air Force heavily dependent on reserve support. This support will be critical not only for major conventional warfare as in the past but also for a wide variety of future regional conflicts. Call-up authority is a key assumption which underlies Air Force planning for use of reserve forces during contingencies. An analysis of the political ramifications associated with reserve call-up decisions—in the context of regional contingencies and under existing federal statutes—reveals that the assumed availability of call-up authority is unrealistic. This observation is true in spite of past attempts to increase total force call-up authority options with the passage in 1976 of an amendment to *US Code*, Title 10, subparagraph 673(b), also known as the 200K authority. In the absence of call-up authority, the volunteer option is the only other way to access the ANG. Volunteerism, when viewed from this perspective, takes on a critically important and new dimension.

Key issues surrounding the Air National Guard volunteer option for contingencies include the nonavailability of call-up authority itself, statutory requirements for Air National Guard unit integrity and gubernatorial consent, and limitations associated with both the size and duration of volunteer responses. Through a case study of the ANG volunteer response to two recent contingencies—Operation Just Cause in Panama and Operations Desert Shield/Storm in the Persian Gulf—one can assess the issues in the light of actual experience. Further, this assessment can be made across a spectrum of contingencies, from a relatively small one in which reserve call-up authority did not exist to a large contingency in which call-up authority was available for the first time in more than 20 years.

This study suggests several ways to improve the volunteer option in the ANG. First, volunteerism needs to be institutionalized by the Air Force as

a formally recognized force employment option for contingencies. This restructuring can be achieved by publishing policy and procedures for the employment of volunteers. Second, the Air Force, through the National Guard Bureau (NGB), should establish a policy which both recognizes the importance of volunteerism and encourages its use. The states, through their adjutant generals, should be encouraged to do the same. Some US Air Force gaining major commands are making use of unit volunteer preconsent agreements in conjunction with air defense, air refueling, and special operations mission capabilities within the ANG. This practice should be expanded by the Air Force to include contingency response requirements in appropriate ground and flying mission categories.

This research effort also attempts, in light of the Desert Shield/Storm experience, to quantify the availability of ANG forces under the volunteer option. It concludes that the number of ANG volunteer personnel available and the length of time they are willing to serve is entirely situational but generally greater than this author had previously thought reasonable. Air National Guard units which could rotate their personnel or combine their efforts with other units proved capable of providing significant levels of support at greater distances and for longer periods than most Air Force commanders might imagine.

Finally, several findings in this study were outside its scope but merit further study. These include the lack of needed flexibility in Air Force war planning unit type codes (UTC), the potential impact on ANG unit integrity if UTCs are used for future involuntary call-ups of selected ANG personnel, and the unique problems associated with employer and family support to volunteers.

Conspicuously absent from this paper is the recommendation that federal statutes should be further amended to improve access to the ANG through the delegation of involuntary call-up authority to perhaps the secretary of the Air Force or even the gaining major commands. To do so might depoliticize call-up decisions somewhat, but at what risk? Air Guardsmen are primarily motivated by a desire to serve their country, but subjecting them to the possibility of frequent call-ups would seriously impact ANG recruiting and retention. The total force policy is under review, but one must ask, "Are we to evolve the air reserve forces to the point where there is no difference between them and the active forces except how much time they devote to their training and associated levels of compensation?" Overreliance on Guard and Reserve forces can threaten or negate the concept of citizen-soldier due to its impact on their civilian lives or careers. Full and effective exploitation of the volunteer option, in a climate of increased reliance on reserve forces, can delay reaching that critical point.

The ANG, as a modern and highly combat ready reserve organization, has come a long way from its colonial militia origins. Volunteerism has been an important aspect of American military tradition from those early days.

A large permanent active duty military force structure is a relatively new phenomenon in American military history. The changing nature of the national security threat combined with severe budget pressure to reduce military spending is once again forcing increased security reliance on the citizen-soldier concept. Now is the time to rediscover the importance of volunteerism in maximizing the potential contribution of these citizen-soldiers—or citizen-volunteers as the case may be—in the defense of the nation.

This study concludes that the volunteer option was, in fact, critically important in the overall effectiveness of the US Air Force military response to both Just Cause and Desert Shield/Storm. This effectiveness did not result from deliberate planning of air reserve forces, nor from detailed guidance concerning the use of volunteers, as there is no guidance. Rather, the effectiveness of the volunteer option resulted, quite simply, from the common sense, dedication, and professionalism of the total Air Force team, active duty, Reserve, and Guard alike, who scrambled to meet tasking requirements. The consistent ability of the Air Force and its reserve organizations to integrate and pull together in this fashion pleasantly amazes most defense observers. Nonetheless, given the reality of a smaller, more reserve-dependent Air Force in the future responding to military contingencies with reserve volunteers, both the Air Force and the ANG need better preparation.

Chapter 1

Total Force Partner and the Changing Threat

This chapter has two purposes. The first one is to demonstrate that the Air Force, in view of planned reductions in the active force structure, will rely increasingly on the Air National Guard (ANG) to meet future national security challenges, even when reserve call-up authority is not available. This increased reliance on the reserves is driven by Department of Defense (DOD) decisions to save military force structure during times of reduced defense spending by placing a relatively larger share of conventional forces in the reserves. The second purpose of this chapter is to acquaint the reader with the increasingly important total force role of the ANG, which is accomplished by briefly reviewing the ANG's relative size, structure, organizational roots, and mission. The ANG's uniqueness has greatly contributed to its past record of success and directly impacted relevant issues associated with the subject of volunteerism.

The Changing Threat and Increased Reserve Reliance

Some recent political changes in Eastern Europe have increased warning times associated with a large conventional war in Europe. These changes have also reduced the likelihood of such a conflict and therefore have led to reductions in the size of the US active duty conventional force structure. The widely held perception of a reduced national security threat—when added to the tremendous political pressure for a reduction of the budget deficit through curtailed military spending—produces the formula for a smaller conventional warfare-capable US Air Force that is even more dependent on its reserve forces. Current Air Force leadership, however, sees a critical need for conventional forces in the future. Although not ruling out the possibility of large and protracted conventional conflicts, Air Force leadership seems more concerned about smaller regional contingencies and emphasizes that conventional forces must be “structured to respond quickly to threats from individual, widely dispersed [nation] states working their own agendas.”¹

In "Thinking About Small Wars," national security scholar, Richard Szafranski, argues that the United States has entered an era in which the small war has become prevalent. He cites a number of unique difficulties that are inherent in small wars and states, "A principal source of their [small wars] difficulty is that they are fought in peacetime without formal declaration of war by Congress."² And, one could add, without reserve call-up authority as well.

A major problem for Air Force leadership is that much of its future capacity to reach and fight regional contingencies or small wars is contained in the air reserve components, and there are relatively limited options for accessing those forces. To put the matter in a slightly different perspective, consider this example. If you were an Air Force commander responding to a contingency and facing a shortfall in active duty capability which the ANG could fill, you would have two choices. First, you could attempt, through the secretary of defense, to get involuntary call-up authority approved by the president and then call up the necessary ANG units. Doing so could take weeks, and if you were facing a limited contingency, the answer would probably be no anyway. Your second option could allow you to make a direct request through the National Guard Bureau (NGB) to the appropriate state adjutant general for volunteer support from specific Air Guard units. Depending on the nature of your request, you could have a tailored response force of volunteers available, perhaps within a matter of hours.

The military buildup in the Persian Gulf for Operations Desert Shield/Storm exceeded 500,000 US military personnel. More than 70,000 of these personnel were reservists. For the first time since the Vietnam War and also for the first time under provisions of *US Code (USC)*, Title 10, subparagraph 673(b) (200K call-up authority), the president authorized the involuntary call-up of reservists to support Desert Shield/Storm. Some observers would tout this as a great test of not only the special 200K law but also of the validity of the total force policy itself.³ With Desert Shield/Storm call-up authority available on 22 August 1990, even as late as 17 September 1990, only 370 Air Guardsmen had been called up by the Air Force while more than 3,000 were supporting that contingency as volunteers. Eighteen percent or 1,324 of the 7,283 ANG personnel on active duty in support of the contingency were still serving in a volunteer status by the time the Desert Storm air war had started on 16 January 1991.⁴

US Air Force planners who contemplate contingency scenarios requiring the use of air reserve forces are taught to rely almost entirely on reserve call-up authority. The underlying assumption for virtually all planning is that call-up authority will be available when needed. Desert Shield/Storm notwithstanding, call-up authority historically has not been available, nor is it likely to be available for most future contingencies. Even in those rare cases—such as Desert Shield/Storm—where call-up authority could be used, volunteerism continued to be an integral part of the military response.

Hopefully, by now the reader is convinced of the potential difficulties associated with increasing Air Force dependence on the ANG when access to ANG personnel could be uncertain. Let's turn now to a brief discussion of the nature and organization of the ANG. This discussion will help the reader to appreciate more fully the ANG's substantial potential for assisting the Air Force and to understand the jurisdictional issues which impact gaining federal control of ANG personnel either through a call-up or as volunteers.

Total Force Partner

The Air National Guard is the larger of the two US Air Force reserve components, and has more than 1,300 federally recognized units located throughout the 50 states, Puerto Rico, the Virgin Islands, the Territory of Guam, and the District of Columbia. Included among these units are 98 flying squadrons with more than 1,700 combat aircraft, thus making the ANG equivalent in size to the world's fifth largest air force. Table 1 amply demonstrates the significant proportions of the Air Force's conventional combat capabilities contained in the Air National Guard and the US Air Force Reserve (USAFR).

Table 1

**Contributions by Air Reserve Forces Flying Units
as a Percent of the Total Air Force**
(Based on primary authorized aircraft as of 30 Sep 1990)

<i>Unit Types</i>	<i>ANG</i> %	<i>USAFR</i> %	<i>Combined</i> %
Strategic Interceptor Aircraft	92	—	92
Tactical Airlift Aircraft	38	26	64
Tactical Reconnaissance Aircraft	60	—	60
Air Rescue/Recovery Aircraft	32	42	74
Tactical Air Support Aircraft	41	—	41
Special Operations Aircraft	6	18	24
Tactical Fighter Aircraft	25	9	34
Air Refueling Aircraft	20	5	25
Strategic Airlift Aircraft	6	11	17

Source: *National Guard* 44, no. 1 (January 1991): 112.

Table 2 reflects a variety of ANG and USAFR nonflying support units, which represents a significant proportion of total Air Force capability in certain mission areas.

Table 2

**Contributions by Air Reserve Forces Non-Flying Units
as a Percent of the Total Air Force
(Based on authorized personnel as of 30 Sep 1990)**

<i>Unit Types</i>	<i>ANG %</i>	<i>USAFR %</i>	<i>Combined %</i>
Aerial Port	13	58	71
Aircraft Control and Warning	94	—	94
Engineering Installation	70	—	70
Combat Communication	65	—	65
Tactical Control	49	—	49
Civil Engineering	26	18	44
Aeromedical Evacuation (Aircrews)	26	71	97
Medical	11	7	18

Source: *National Guard* 44, no. 1 (January 1991): 112.

The ANG's relative share of some of the mission areas identified in tables 1 and 2 fluctuates somewhat as units convert to newer aircraft and equipment. If current programming trends continue, the air reserve forces' share of many of these mission areas will continue to increase. The tables are not an all-inclusive listing of current air reserve missions or activities, but they summarize many of the significant contributions being made by the air reserve forces as they support national security.

With nearly 117,000 assigned personnel, the Air National Guard is comparable in size to one of the Air Force's larger major commands (MAJCOM), yet it provides that force structure at significant cost savings. Total Air Force obligational authority for fiscal year 1991 was approximately \$95.7 billion. The ANG share of that outlay was about \$3.3 billion, or about 3.5 percent of the total Air Force budget.⁵ Some ANG overhead costs are absorbed by the Air Force and are not reflected in the ANG's budget. Even when all costs are considered, however, there is general agreement that the Air National Guard is a cost-effective way to maintain the Air Force military force structure.

The greatest ANG cost savings come from the military personnel appropriation. The typical traditional or part-time Air Guardsman is compensated the equivalent of about 50 days of active duty pay each year. For this earning, the Guardsman trains at least 39 days each year. Much of the training is done one weekend each month with a short period of active duty—usually 15 days—sometime during the year. Aviators train more frequently, and approximately 25 percent of all assigned personnel are full-time employees. Of course, retirement costs for the traditional Guardsman are significantly lower than they are for active duty Air Force personnel since the monthly annuity is usually much smaller and the Guardsman must wait until age 60 to receive retirement benefits. In other

cost categories as well, the Guardsman and other reservists compare quite favorably to their active duty counterparts. For example, reservists and their families are not eligible for military-provided or subsidized medical care. Space does not permit a full and detailed analysis of the cost savings achieved by placing military force structure in the Air National Guard, nor is it necessary here. The bottom line is that despite limitations associated with the time available to perform military duty, ANG personnel are cost-effective members of the military establishment. The pejorative connotations implicit in the adage, "You get what you pay for," may not hold true in this case. In terms of combat capability for each dollar spent, one could argue that the Air Force is getting more than it is paying for with the ANG. This recognition contributes to powerful congressional budget balancing pressures for placing increased reliance on the ANG.

Even though most Guardsmen train an average of 40 to 50 days each year, they develop military skills comparable to their active duty counterparts. This still results primarily from the high degree of personnel stability found in the ANG. The personnel turnover rate averages about 10 percent annually, the lowest by far of all reserve components. Therefore, in spite of the reduced training time, Air Guardsmen generally have a longer period of experience within their specific career fields, which allows them to develop considerable skill. Additionally, many Air Guardsmen have civilian careers that are compatible with their military duties. For example, numerous Guardsmen aviators are also airline pilots. A large number of aircraft mechanics have compatible military and civilian careers, as do those personnel assigned in civil engineering, computers, finance, and nearly every other career field to be found in military and civilian life. During exercises and overseas deployments, NATO host nation personnel find it difficult to differentiate between active US Air Force and ANG units, and these personnel feel comfortable in knowing their armed forces will be reinforced, as needed, by American ANG units.

It has been my experience that relatively few US Air Force officers understand the critical role of ANG units, under the total force policy, should a large conventional war require the execution of one of this country's major war plans.⁶ Even fewer officers understand the size and importance of the ANG's contribution to the daily performance of the Air Force mission through air defense alert, aerial refueling tanker alert, and both tactical and strategic airlift. Air National Guard units are among the most combat ready reserve units in the world, and are organized and equipped to respond to tasking anywhere in the world within 48 hours.

In addition to its mission as a federal military reserve force, the Air National Guard also has a responsibility to the state in which it is organized. The state mission allows the ANG, as part of the organized militia, to be used by the governor during state emergencies such as severe storms, flooding, and forest fires. ANG personnel are also called on to perform law enforcement assistance activities, and they have been used frequently in some states to help interdict and eradicate illegal narcotics.

Even though National Guard flying units in the Army Air Corps date back to 1920, the Air National Guard received its official start as a reserve component of the newly established US Air Force in September of 1947.⁷ Like the Army National Guard (ARNG), the ANG is organized quite differently from other US military reserve organizations. It shares in the Minuteman tradition of the early colonial militias, which date back to the seventeenth century. The concept of a citizen-soldier existed then, and it was used extensively in America from the very earliest days. The Founding Fathers, keenly aware of the continual strife and warfare on the European continent, were suspicious of large standing armies. They therefore favored the idea of a militarily armed and trained citizenry, ready and available to fight on short notice. Indeed, the concept of a military reserve force comprised of trained civilians was eventually formalized by the framers of the Constitution, and the concept still fully applies to the ANG today. The Constitution states: "The Congress shall have power to provide for calling forth the Militia to execute the laws of the Union, suppress insurrections, and repel invasions." It goes on to state that while the Congress further is responsible for organizing and arming the militia, it will also govern "such part of them as may be employed in the Service of the United States." Governors are given the exclusive right for "appointment of the officers, and of training the militia according to the disciplines prescribed by the Congress."⁸

The Constitution establishes the president as "Commander in Chief of the Army and Navy of the United States," and adds to this "the Militia of the several States, when called into the actual service of the United States."⁹ Even the right of American citizens to have private firearms was included in the Constitution as a safeguard to insure the militia would be armed.¹⁰ As the writer alluded to earlier and will demonstrate more fully later in the text, constitutional provisions for the militia impact the organizational structure of the ANG. They also provide the foundation for statutory provisions that establish the conditions under which control of ANG units or individual Air Guardsmen can be transferred from the state to the federal level. Having examined the mission and organizational roots of the ANG, it is now appropriate to briefly review the federal government's role in administering the Guard.

The federal responsibility for administering the ANG is vested in the NGB, located in the Pentagon. Appointed by the president, the chief of the NGB is a National Guard officer, who serves on extended active duty with the rank of lieutenant general. The NGB jointly administers both the Army National Guard and the Air National Guard, and NGB-assigned officer personnel, by law, must be at least 60 percent regular Army or Air Force officers.¹¹ The NGB serves as the executive agency to fulfill virtually all responsibilities related to administering, funding, and equipping ANG units.¹² Nearly 98 percent of the total ANG funding comes from the federal government and is allocated by the US Air Force through the NGB to ANG units. The NGB Air Directorate staff also serves as a focal point of the Air

Force for advice and coordination when it becomes necessary to task an ANG unit or to request volunteer support.

Air National Guard training and readiness oversight responsibilities at the federal level fall on those US Air Force MAJCOMs which would gain control of and be augmented by specific ANG units when called into federal service. The gaining command concept instituted by the Air Force in 1960 has proven to be an extremely effective tool to ensure that ANG units meet Air Force readiness standards.¹³ The gaining MAJCOMs exercise their responsibility primarily through operational readiness inspections and unit effectiveness inspections, which are usually conducted by the MAJCOM's subordinate numbered air force headquarters.¹⁴

Until it is called into federal service, the ANG is commanded by the state governor. Each state is authorized an adjutant general with the rank of major general, and this individual is usually appointed by the governor. The adjutant general administers the Guard and ensures that the state's constitutional responsibilities are properly fulfilled.¹⁵ Because the ANG has both state and federal missions, its personnel are sworn to uphold and defend not only the Constitution of the United States but also the constitution of their own state. Although the US Constitution grants the governor the authority to appoint members of the state militia, federal statutes stipulate that those same members must be federally recognized before they become affiliated with the Air National Guard of the United States (ANGUS), a component of the US Air Reserve Forces.¹⁶ Federal recognition is not granted to Air Guardsmen unless they meet virtually the same standards established for US Air Force personnel. Should an Air Guardsman fail to maintain the standard, he or she would lose federal recognition. The individual would no longer be eligible to serve as a reserve of the Air Force and thus would be discharged from the ANGUS. This process serves to insure the high quality of personnel assigned to the ANG if it is called into federal service.

A variety of federal court decisions has established that the clauses in the US Constitution that grant Congress the power to "raise and support armies" and to "make rules for the government and regulation of the land and naval forces" take precedence over the militia clause.¹⁷ Therefore, the control of the National Guard rests with the governor until it is needed for federal service, even though provisions of the law for transferring control of Guard personnel to federal service as volunteers include consent from the appropriate governor. This requirement is apparently not constitutionally mandated but has simply been granted by Congress in the statute. Nonetheless, the control issue is an important factor when one considers the military employment of ANG volunteers in support of Air Force requirements.

ANG unit organizational structure is similar to like-equipped US Air Force units except that, due to their smaller size, ANG units use a group rather than a wing structure. Figure 1 shows a typical flying tactical unit. Each squadron or flight shown is separately granted federal recognition and

assigned a unit identification code (UIC) number. The entire group structure might include from 700 to 1,500 assigned personnel, depending on the type of aircraft possessed. This concept of organization works well when the entire group—at least its flying squadron and major supporting squadrons—is mobilized to active duty and deployed to some forward location.

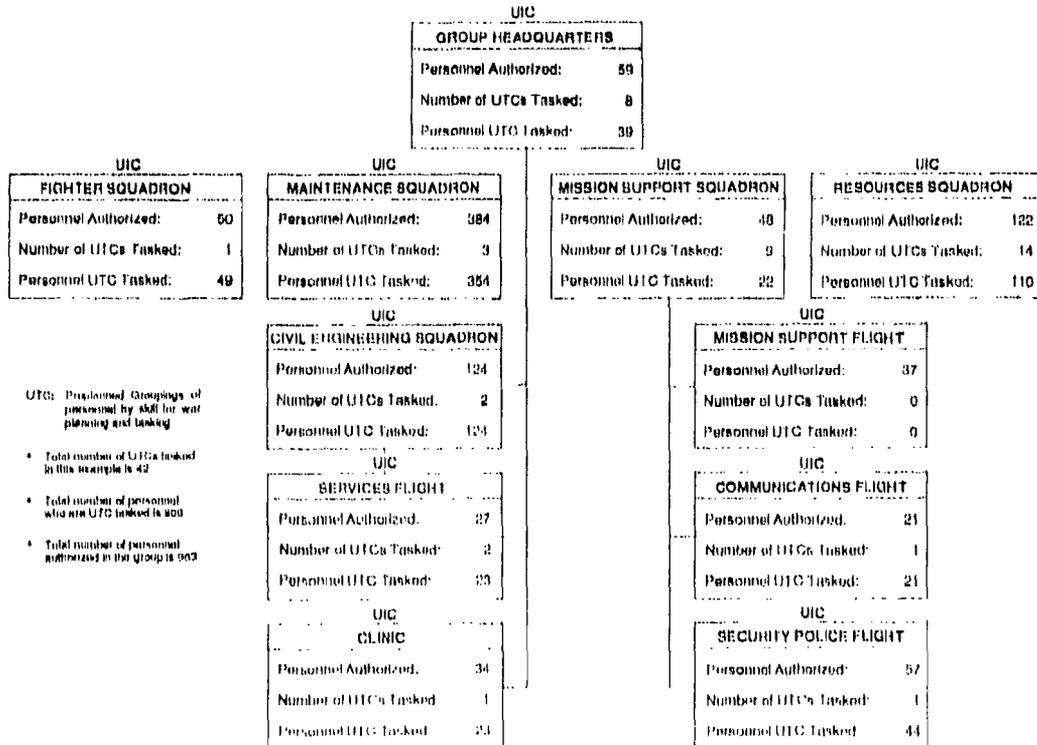


Figure 1. A Typical ANG Tactical Flying Unit

If a contingency requires a smaller force, the response force must be tailored from the squadron- and flight-sized units that compose the group structure. For example, a six-fighter aircraft package instead of the squadron's full complement of 18 aircraft might require only from 8 to 10 pilots and a few life support personnel, not the entire flying squadron. Likewise, only from 50 to 100 maintenance personnel might be needed, not the 300-plus personnel assigned to the aircraft maintenance squadron. The same is true of the support units, which might also be required to provide personnel to the tailored contingency response force. When calling reservists, to include Air Guardsmen, into federal service, the law states that reservists trained as part of a unit must be called as a unit and not as individuals. The unit or UIC concept would make it technically necessary

to call up the entire flying squadron to access the relatively small numbers of pilots and life support personnel needed.

The unit call-up requirement in the statutes has been carefully examined in light of the 200K call-up decision for Desert Shield in Saudi Arabia. Recent guidance from DOD to the services indicates that the "train as a unit, call as a unit" requirement has been more liberally interpreted by DOD legal experts. Air Force wartime planning procedures have long made use of unit type code (UTC), another unit categorization. A UTC groups personnel with specific skills which have been identified for possible tasking under a particular war plan. UTCs can vary in size from only one or two individuals to groups of several hundred people, depending on the war plan tasking. For example, the typical ANG resources squadron has several UTCs assigned. One UTC might be an 18-person aircraft refueling team, while the same squadron might also be tasked with a 30-person transportation UTC and a like-sized team of supply personnel. Figure 1 portrays the number of UTCs which might exist within a typical ANG tactical flying unit. Close examination reveals that the number of UTCs assigned varies for each squadron, and some UTCs task personnel from more than a single squadron. Readers can easily discern from the information provided in figure 1 that not all of the Guardsmen assigned to a squadron or flight have a UTC tasking. Those not tasked can be used as substitutes or MAJCOM fillers after mobilization and deployment of UTC-tasked personnel. DOD has ruled that call-up by UTC meets the statutory requirement for reservists who train as part of a unit to be called with their unit, but it is important to note that this statutory requirement does not apply to the use of volunteers.¹⁸

ANG units are authorized manpower on the level required to perform their "worst case" of wartime tasking. Some units have also been authorized additional manning as necessary to support US Air Force peacetime training and alert missions. Approximately 75 percent of ANG personnel are traditional Guardsmen who have full-time civilian careers. The remaining personnel, for the most part, are full-time federally paid personnel in either military technician or active Guard and Reserve (AGR) employment programs. AGRs and virtually all the technicians are militarily assigned to the ANG units in which they are employed. The primary function of both technicians and AGRs is to conduct military readiness training in their units. In addition to the two federal full-time personnel programs, there are a number of state-status and contract employees who work in selected ANG units and perform a variety of important jobs. Many of these personnel must also be military members of their ANG units as a condition of employment.

The training function performed by full-time personnel is no small task, given the complex equipment and missions assigned to ANG units. Although a significant portion of military training, by design, is satisfied one

weekend each month, most units conduct training programs throughout each month to maintain the required high state of readiness. Flying training, for example, is often conducted five or more days each week.

When we consider employing ANG volunteers during contingencies, we should note that the high experience level and relative size of the ANG full-time manning program take on greater significance. For example, the availability of full-time personnel to serve as volunteers offers some advantages when compared to traditional Guardsmen, who face the problems of disrupted civilian careers and even possible job loss. With approximately 30,000 highly experienced full-time personnel assigned in the ANG, many commanders have a significant personnel resource base to consider as they build tailored volunteer contingency response forces.

This chapter has described the increasingly important total force partnership which exists between the ANG and the US Air Force. It has also demonstrated the vast amount of combat capability contained in ANG units at only a fraction of the cost necessary to keep those same forces on active duty. Saving money by assigning force structure to the ANG is not without its drawback, however. Although ANG units have consistently proven combat readiness which rivals that of active duty Air Force units, accessing ANG forces during a contingency cannot be automatically assumed by commanders and planners. Remember the hypothetical example in the first part of this chapter of an Air Force commander who organizes a military contingency response and needs ANG support? Once again, the two options available to that commander were to either request a call-up or to use volunteers. In the likely absence of call-up authority, volunteerism is the only option that remains. The federal statutes which allow commanders to access ANG personnel during contingencies, whether as volunteers or in a call-up status, are discussed in some detail in the next chapter.

Notes

1. "The Air Force and U.S. National Security: Global Reach--Global Power," white paper (Washington, D.C.: Department of the Air Force, 1990).
2. Richard Szafranski, "Thinking About Small Wars," *Parameters* 20, no. 3 (September 1990): 48.
3. Charles M. Kieflner, "President's Message," *National Guard* 44, no. 8 (August 1990): 2.
4. Information provided in a telephone call with the ANG Personnel Readiness Center at Andrews AFB, Md., 12 February 1991.
5. *Air Force Magazine* 73, no. 5 (May 1990): 45.
6. The total force policy was formulated under Secretary of Defense Melvin Laird in the early 1970s and has resulted in greatly increased reliance on military reserve forces. No one has documented this policy to date.
7. Charles J. Gross, *Prelude to the Total Force: The Air National Guard, 1943-1969* (Washington, D.C.: Office of Air Force History, 1985), 2, 20.
8. US Constitution, art. I, sec. 8.
9. US Constitution, art. II, sec. 2.
10. *Ibid.*, amendment II.

11. *US Code*, Title 10, subpar. 8496(b).
12. For a more detailed explanation of the National Guard Bureau, see Air Force Regulation (AFR) 45-1, *Purpose, Policy, and Responsibilities for Air National Guard and Air Force Reserve*, 2 January 1987, 4.
13. Gross, 116.
14. A detailed list of gaining MAJCOM's responsibilities to the Air National Guard can be found in AFR 45-1, 4-5.
15. *US Code*, Title 32, par. 314.
16. *Ibid.*, par. 301.
17. *Gov Rudy Perpich v. Department of Defense*, 110 US Supreme Court, 89-542 (1990).
18. *US Code*, Title 10, subpar. 672(d) and 673(b).

Chapter 2

Accessing the Air National Guard for Contingencies

Chapter 1 demonstrated that the changing nature of America's national security threat, when combined with political pressure to balance the budget, will certainly lead to increased Air Force reliance on its reserve components. With the high level of ANG combat readiness which has been repeatedly demonstrated during the total force policy years, some defense experts argue that increased Air Force reliance on the ANG is a good thing as it provides America with a lower cost air power option. Underlying that argument is the assumption that the ANG would be available to support the Air Force whenever needed. The conditions under which Air Force leadership can gain access to the ANG are outlined in federal law, and as this chapter shows, that access can be somewhat uncertain. This uncertainty is also the reason the volunteer option can become so critically important.

Short of a declaration of war or a national emergency, only two methods are available for active duty commanders to gain access to Air National Guard forces for use against an external threat. The first one is an involuntary reserve call-up under *US Code (USC)*, Title 10, subparagraph 673(b). The second method is the use of Air Guard volunteers under 10 USC 672(d). Other provisions of the law allow the president or the Congress to mobilize the reserves on a large scale but only after a declaration of war or national emergency. Since accessing Air Guard forces during small wars or contingencies is the focus of this study, this chapter details statutory provisions which, in the absence of a national emergency or a declared war, apply when the United States faces external (as opposed to domestic) threats and needs support from the reserves.

The Involuntary Call-up Option

The first statute for our review is 10 USC 673(b). Before looking at the statute and its usefulness for employing reserve forces during contingencies, we need to understand its legislative background. During the 1973 Arab-Israeli conflict, the United States resupplied the Israeli armed forces through a massive emergency military airlift. This mission impacted heavily on available manpower and aircraft resources of the USAF's Military Airlift Command (MAC). As a result, the budget submitted by the Air Force

to Congress for fiscal year (FY) 1974 attempted to increase by 10,000 the number of military and civilian personnel assigned to MAC. The Air Force justified this request on the basis of future strategic airlift sortie surge requirements for contingencies similar to the Israeli crisis.¹ The Senate Armed Services Subcommittee on Manpower and Personnel denied the request and suggested that the Air Force use ANG and Air Force Reserve (AFR) personnel to meet emergency airlift surge requirements. The Air Force retorted that the limitations associated with the federal statutes required a declaration of war or a national emergency for involuntary use of the reserves and thereby prevented accessing reserve forces for contingencies. Furthermore, the newly formulated total force policy placed greatly increased reliance on the National Guard and the Reserve. The problems associated with this increased reliance forced officials to take a closer look at statutory provisions for accessing reserve forces.

The subcommittee directed the Department of Defense to study the issue and to recommend ways to improve access to the reserves. In their guidance to DOD, the subcommittee envisioned two basic concepts on how the new legislative authority could be used. The first one would be "minor situations requiring short-term use of capabilities which are unique to the reserve components or which only exist in the active force in small numbers."² This concept would permit a more efficient active duty and reserve force-mix design by "increasing confidence that special purpose capabilities of the reserve components could be used from time to time."³ The second concept put forth was to provide for advanced prepositioning of reserve component units "during a period of international tension but before a major confrontation and declaration of national emergency."⁴

The DOD developed the draft legislation needed to meet the above guidance and submitted it to the subcommittee, which adopted it as Senate bill S2115 and conducted hearings on it in July 1975. Each senator received copies of the hearings in September 1975 and, after additional markup sessions by the subcommittee, the full Senate Armed Forces Committee took up the bill. After some discussion, the committee voted 15-1 to report favorably on the bill, as amended by the subcommittee. In its report, the committee stated that the legislation was needed for two principal reasons. The first reason was "to enhance the credibility of the reserve forces" and the second reason was "to improve the efficiency of the total force concept." The committee recognized that the president already had far greater authority under a national emergency declaration to order reserve forces to active duty (up to one million members of the Ready Reserve for up to 24 months) than would be provided in the new legislation. However, it noted, "There has been some reluctance to use this authority because of the broad implications of a declaration of national emergency." The committee held that this reluctance could lead to "reduced credibility of a timely reserve capability on the part of potential adversaries, allies, the active duty and reserve establishments, and the general public." There was also concern that reluctance to use reserve forces would have a tendency

to create reserve forces which are "designed as a carbon copy supplement to the active forces rather than a carefully tailored complement to active force missions." As a result, "the total active and reserve force would be less efficiently designed and realistic missions would be less likely to be assigned to reserve forces."⁵

Not surprisingly, DOD, which developed the initial draft of the legislation, pressed hard for its passage. In an article for the *Commander's Digest* in October 1975, William K. Brehm, assistant secretary of defense, Manpower and Reserve Affairs, states, "If the requested legislation is passed, it should become clear to all that our options will now include a discrete and selective mobilization capability tailored to meet the requirements of particular situations."⁶ Brehm further states, "The Reserves must be trained and equipped to perform their missions promptly, and they must be available for rapid and selective mobilization, regardless of the political situation."⁷

The legislative proposal also apparently had the full support of much of the reserve community. Maj Gen Duane Corning, president of the politically influential National Guard Association of the United States, included positive remarks about the legislation in a prepared statement for several House of Representatives hearings during the review of DOD appropriations for FY 1976 and FY 1977 (a shortened fiscal year). After noting the traditional National Guard role of rapid mobilization and early active duty force augmentation, General Corning went on to state, "On occasion after occasion in the past two decades, there has been a need to augment our Active Forces on a much smaller scale than all-out mobilization." While adding his important support to the proposed legislation, the general also expressed some concern that Guard units "could not long survive if subjected to frequent call-ups for less than the most urgent reasons." He dismissed this concern, however, by stating that it is "unlikely that any president would accept the political risks of a call-up based on no clear and apparent need."⁸ That assessment has certainly proven accurate.

Congress passed the new reserve call-up legislation in 1976 and incorporated it into 10 USC 673(b). Major provisions contained in this law—designed to accommodate active component needs for reserve support without declaration of war or national emergency, in other words during a small war or contingency—are summarized below.

The new legislation, 10 USC 673(b), permits the president to call up the Selected Reserve without the declaration of a national emergency. When the president determines that it is necessary to augment the active forces for "any operational mission," he may authorize the secretary of defense, without the consent of the reservists concerned, "to order to active duty any unit, and any individual not assigned to a unit organized to serve as a unit, of the Selected Reserve." The active duty time is limited to 90 days unless the president determines that an extension of the service of units or members is in the interest of national security. If so determined, he may add a 90-day extension to the active duty period. The original legislation provided for the call-up of up to 50,000 reservists, but that number has

been amended twice. Currently, the president can call up a maximum of 200,000 reservists at any one time (the so-called 200K call-up authority). However, whenever the president decides to use the authority provided by this statute, he must notify the Congress within 24 hours and submit a written report 'setting forth the circumstances necessitating the action taken and describing the anticipated use of [reserve] units or members.'⁹

Although the actual legislation does not state as much, the Senate report makes it clear that Congress intended this call-up authority to be fully subject to the War Powers Resolution (WPR) of 1973.¹⁰ Congress established this resolution to recover some of the constitutional powers it perceived to have been lost or weakened by presidential action over the previous decade.¹¹ In the WPR, Congress emphasized that the Constitution provided for the collective judgment of both the Congress and the president before "entering into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances."¹² The Congress wanted to turn aside a recurrence of the circumstances that led to US involvement in the Vietnam War; that is, to prevent, as the WPR puts it, "another situation when the president could gradually build up America's involvement in a foreign war without Congress's knowledge or approval."¹³ Under the WPR the Congress must be notified within 48 hours when American troops are sent into hostile or imminently hostile situations. The Congress could then force the return of US troops after 60 days, with a possible 30-day extension on that 60-day time period. Therefore, reserve forces called up by the president under 10 USC 673(b) could have the call-up cancelled by the Congress if they didn't concur with the president's action.

Although the new call-up authority legislation was envisioned by its sponsors and supporters to provide needed total force policy flexibility to access the increasingly more important reserve forces of this country, it was not used by a single president for nearly 15 years. This unwillingness to use the legislation occurred despite reservists' having participated in numerous contingencies during that time period. Finally, on 22 August 1990, the president decided to use the 200K option for the first time. As mentioned in chapter 1, this decision was predicated on the need for a massive conventional military response to the Iraqi invasion of Kuwait. Even after the president decided to respond militarily to that crisis, he did not announce the reserve call-up decision until more than two weeks later. Long before that decision was made, beginning as early as 7 August 1990, nearly 9,000 volunteer ANG and AFR personnel were generating and flying roughly 35 percent of the strategic airlift missions needed for the military response.¹⁴ The presidential decision to use the 200K authority for this crisis, code named Desert Shield, followed a long-time defense policy concept of graduated mobilization response, according to one expert.¹⁵ This concept combines political, economic, and military actions, where possible, and implements them incrementally to achieve the desired deterrent effect.¹⁶ Call-up of reserve forces under a graduated mobilization response

generally would not occur until a demonstrated need developed, and then it would serve not only to augment the active forces but also to send a powerful signal to our adversaries that we are serious in our resolve. Conversely, it would seem that frequent or imprudent call-ups of the reserve would diminish the deterrent effect. The graduated mobilization response might fit well for a major crisis like Desert Shield, but what about the small war or contingency?

During Operation Just Cause, the Panama contingency of December 1989, the theater commander made a request for the call-up of reserve units and individuals. High-level officials within the military command structure denied the request; nevertheless, the commander obtained the needed support through the use of reserve force volunteers.¹⁷ Was the request denied because it would undermine the credibility of future 200K call-ups? Perhaps, but in this case there might be other, more logical, reasons.

Some experts suggest that officials denied the 200K request of the Just Cause commander to keep from triggering the War Powers Resolution.¹⁸ Air Force regulations provide for 24-hour advance notification time for reservists to report to their units.¹⁹ With the 24-hour congressional notification requirement, theoretically, the Congress would be informed before reserve forces could be moved from their home-duty stations. The WPR required congressional notification within 48 hours after actual introduction of US forces into harm's way. Thus, in the case of many contingencies, combat operations could be well under way or, as in the case of Just Cause, virtually complete before the Congress was required to be notified. A president's attempt to execute a politically sensitive contingency operation without prior consultation with the Congress makes it easy to see why, due to the notification requirement, he would not want to involve reserve forces in an involuntary call-up under 200K authority.

A more obvious reason not to call up the reserves on an involuntary basis is the political backlash associated with such an action. The call-up of an entire unit from one community is disruptive not only to the individuals involved but to the entire community. Americans tend to support presidential military response decisions early on, but that support can wane quickly.²⁰ Local communities, in turn, generate tremendous political pressure when they are concerned about a group of hometown reservists. This is especially true when they become impatient with the progress being made toward a resolution of a crisis or how the reservists are being used. Some observers argue that the Vietnam War could not have been fought in a protracted fashion if the Johnson administration had not decided to avoid a significant mobilization of the reserves to fight that war. Some reserve leaders are still decrying that decision, but it reflects the political reality associated with any reserve call-up decision.²¹

In summary, the 200K legislation has provided increased flexibility for involuntary call-up of the Guard and the Reserve. Prior to enactment of the 200K legislation the president would have to declare a national emergency—no small political event—to access the reserve forces. After nearly

15 years, a president has finally used the authority to the great satisfaction of many reserve advocates.²² However, a troublesome question remains: Will it take another 15 years and numerous small wars for a president to again invoke 200K call-up authority? Should we revise the 200K law to make it easier and more politically viable to make involuntary use of the reserves? Some observers say yes, but one wonders about their motives. Are we to evolve the total force policy so there is *no* difference between the Selected Reserves and the active forces except how much time they devote to their training and the associated levels of compensation? There must be a point of diminishing returns in the reliance on and frequent use of reserve forces.

In view of the attention generated by the Desert Shield reserve call-up and its impact on the future of the total force policy, let's turn to another provision of federal law which has allowed the reserve, especially the ANG, to quietly and effectively meet active component peacetime and contingency needs. This provision of law allows the use of volunteer reservists. Ironically, legislative authority for the volunteer use of reservists, other than during declared national emergencies, has been "on the books" since the early 1950s and probably provides more meaningful flexibility to access the Guard and Reserve than what was achieved by the 200K legislation in 1976.

The Volunteer Option

Title 10 USC, subparagraphs 672(d) and (f), have their origins in the Armed Forces Reserve Act of 1952, which was drafted in light of experience with the massive mobilizations of reserves during World War II and during the early stages of the Korean War. It codified many existing statutes and standardized the treatment of reservists, regardless of the service component.²³ Although an earlier subparagraph of 10 USC 672 discussed the partial mobilization and involuntary call-up of reservists during a war or national emergency, subparagraph 672(d) was included in the legislation to detail the use of reserve volunteers. Subparagraph 672(d) is quoted below in its entirety:

At anytime an authority designated by the Secretary concerned (Secretary of the Air Force) may order a member of a reserve component under his jurisdiction to active duty, or retain him on active duty, with the consent of that member. However, a member of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to active duty under this subsection without the consent of the governor or other appropriate authority of the State or Territory, Puerto Rico, or the District of Columbia, whichever is concerned.²⁴

In 1986 this statute was amended by adding a subparagraph, called the Montgomery Amendment and named for its author and chief sponsor, Rep. G. V. ("Sonny") Montgomery (D-Miss.). The amendment is quoted below:

The consent of a governor described in subsections (b) and (d) may not be withheld (in whole or in part) with regard to active duty outside the United States, its territories,

and its possessions, because of any objection to the location, purpose, type, or schedule of such active duty.²⁵

Subparagraph 672(d) and its provisions for the use of reserve volunteers is concise and powerful. This subparagraph has provided the authority under which literally hundreds of thousands of reservists have voluntarily performed active duty to support both peacetime military missions and contingencies throughout the world during the past several decades. Until passage of the Armed Forces Reserve Act of 1952, the statutory authority to order reserve units to active duty was limited to periods of national emergencies. Congress removed the national emergency requirement but provided that such orders (voluntary call-ups in the case of the National Guard) could not be issued without gubernatorial consent.

Several advantages offered by this legislation are not found in the 200K statute. First, and most important, the volunteer legislation does not require a presidential decision. Authority to use volunteer reservists is granted to the secretary of defense and, in turn, has been delegated within the US Air Force all the way down to the gaining major command level.

A second advantage offered by 10 USC 672(d) is that it allows commanders to use volunteers to respond to military requirements. Obviously, the use of an involuntary call-up assures that a sufficient number of the members of a reserve unit will be available for a military tasking, but conceivably the call-up could impact more reservists than are needed. This predicament is due to the 200K requirement that reservists trained as part of a unit be called with their unit and, as the next chapter points out, this requirement was sometimes ignored during Desert Shield/Storm. A volunteer response from a reserve unit, assuming that a sufficient number of volunteers is available, might also tend to ensure that those participating reservists are motivated and that their personal lives will not be seriously disrupted by performing active duty away from their home station.

The use of reserve volunteers can also avoid much of the political backlash associated with involuntary call-up decisions. Volunteers are seen as patriots responding to a military crisis and wanting to serve their country. By contrast, any decision to require a reservist to involuntarily leave his or her family and community, even though the reservist may be motivated and have a positive attitude, is often cast in a different light by the print and voice media. (The aircraft and virtually all of the equipment used by these volunteers belong to the federal government.)

Unlike the 200K call-up authority, which is limited to a 90-day period with a possible 90-day extension, 10 USC 672(d) does not specify how long a reservist can serve on active duty. Further, the president is not required to notify the Congress when volunteer reservists have been called to active duty. Once on active duty, reservists would be subject to the War Powers Resolution in the same manner as their counterparts who were called under the 200K authority.

The final consideration in any decision to use Guard volunteers under 10 USC 672(d) authority is the requirement to obtain the consent of the

appropriate governor. This consent can obviously be politically helpful from a federal perspective, especially when a group of local Guardsmen respond to a national need. The Montgomery Amendment has almost made the consent requirement a nonissue. The amendment resulted from a challenge by several state governors over control of the National Guard. The governors sought to exercise and protect their right to prohibit Guardsmen in their states from participating in training exercises being conducted in Honduras. The federal training was to be conducted under 10 USC 672(d), and therefore required the consent of the governor of each affected state. Only a few governors withheld their consent, apparently on the basis of political objections over US-Central America foreign policy. Representative Montgomery, perceiving a governor's challenge as a serious threat to federal control of the Guard and the future of the total force policy, countered with his amendment.

The Montgomery Amendment prompted Gov Rudy Perpich of Minnesota to file a lawsuit, which challenged the constitutionality of the amendment. The case was eventually appealed to the US Supreme Court and decided on 11 June 1990.²⁸ In a unanimous decision, the Court found that the militia clauses in the Constitution are subordinate to Congress's Article I, Section 8, powers to provide for the common defense, raise and support armies, and make rules for the governance of the armed forces. Since Congress stipulates that National Guard members have dual membership in both the state militia and the National Guard of the United States, its authority to "raise and support armies" takes precedence over the militia clauses. The Supreme Court also determined that the gubernatorial consent provisions in the federal statute accommodated the state governors, although this consent was not required under the Constitution. Thus, since the consent provision was a legislative grant, it could be removed or restricted as the Congress saw fit. The Court found the Montgomery Amendment was clearly constitutional.

If a governor cannot withhold consent for a Guardsman to voluntarily perform active duty under 10 USC 672(d) on the basis of an "objection to the location, purpose, type, or schedule of such active duty," on what basis might the person refuse to consent? Such a basis occurs only if the governor could validate a need for the Guardsman to perform duty within the state as a member of the militia. This critical need would be rare, but it could develop during a state emergency which was related to widespread civil disobedience or to a natural disaster.

In summary, 10 USC 672(d), which provides for volunteer active duty by reservists, is probably being used more extensively than envisioned by Congress when it was first incorporated into the statutes. It has, however, proven to be an effective tool for the US Air Force to gain ANG support without an involuntary call-up. The statute, while not without its limits, also has provided a flexibility not designed into the 200K legislation. The volunteer authority of the statute is not formally recognized in Air Force regulations as an Air Reserve component mobilization option, when call-up

authority is not available for contingencies. The next chapter demonstrates how the 200K legislation has, nonetheless, been very successfully used for that purpose.

Notes

1. Senate, *Report on Enabling the President to Authorize the Involuntary Order to Active Duty of Selected Reservists for a Limited Period without a Declaration of War or National Emergency*, 94th Cong., 2d sess., 1975, no. 94-562, Calendar no. 538, 5.
2. *Ibid.*
3. *Ibid.*, 6.
4. *Ibid.*
5. *Ibid.*, 4.
6. William K. Brehm, "Why DOD Needs New Call-up Authority," *Commander's Digest* 18, no. 14 (2 October 1975): 1.
7. *Ibid.*, 4.
8. House, *Hearings on Posture and HR 3689, DOD Appropriations for FY 1976 and 1977*, statement by General Corning, 94th Cong., 2d sess., 1975.
9. *US Code*, Title 10, subpar. 673(b).
10. Senate report, no. 94-562, 6.
11. Frederick H. Hartmann and Robert L. Wendze, *Defending America's Security* (Washington, D.C.: Pergamon-Brassey's International Defense Publishers, Inc., 1988), 110.
12. See *US Code*, Title 50, subpar. 1541(a), 253.
13. *Ibid.*, 256.
14. Frederick C. Oelrich, "Graduated Mobilization Response: Show of Force on the Arabian Peninsula," in *ROA National Security Report*, October 1990, 27.
15. *Ibid.*, 25.
16. *Ibid.*
17. Frederick C. Oelrich, "The 200K Call-up: Myth or Reality?," in *ROA National Security Report*, September 1990, 11.
18. Grant Willis, "Panama Review Rekindles Reserve Call-up Debate," *Air Force Times*, 11 June 1990, 8.
19. See AFR 28-5, *USAF Mobilization Planning*, 5 May 1983, par. 9-6.
20. Frederick H. Hartmann and Robert L. Wendzel, *To Preserve the Republic* (New York: Macmillan Publishing Co., Inc., 1985), 130.
21. Michael W. Davidson, "Vietnam Baggage: The Nonmobilization Option," *Military Review*, January 1989, 29.
22. Charles M. Klefner, "The Middle East Mobilization," *National Guard*, October 1990, 2. See also Oelrich, "200K Call-up," 11.
23. Charles J. Gross, *Prelude to the Total Force: The Air National Guard, 1943-1969* (Washington, D.C.: Office of Air Force History, 1985), 87.
24. *US Code*, Title 10, subpar. 672(d).
25. *Ibid.*, 672(f).
26. *Gov Rudy Perpich v. Department of Defense*, 110 US Supreme Court, 89-542 (1990).

Chapter 3

The Volunteer Response to Panama and Saudi Arabia

Two recent contingencies, Just Cause in Panama and Desert Shield/Storm in Saudi Arabia, have elicited a significant volunteer response by Air National Guard personnel. Although ANG volunteers have directly supported many of America's military conflicts, their role in Just Cause and Desert Shield provides an excellent opportunity to identify and study the important issues surrounding volunteerism in light of actual experience. Methodology for the study of Just Cause included a thorough review of the official histories which participating units had forwarded to the National Guard Bureau.

Methodology for the study of Desert Shield/Storm also consisted of numerous telephone conversations and personal interviews between the author and both commanders and senior staff officers involved in managing the ANG volunteer response to the Persian Gulf crisis. No attempt was made to conduct scientific random samples for either contingency or otherwise to quantify information precisely. Rather, the objective was to gain a sense of the key issues and limitations associated with the execution of a significant volunteer response to each contingency. For Desert Shield/Storm only—in addition to discussions with key staff officers at the NGB and ANG liaison officers at some major command (MAJCOM) headquarters—the writer conducted telephone and personal interviews with state headquarters, commanders, and key staff personnel representing 11 states, 21 ANG units, and more than 1,000 volunteers. As could be expected, such a diverse group held different perspectives, but their perspectives shed some light on the subject of ANG volunteerism in Desert Shield/Storm.

The relevant ANG volunteerism issues which were the focus of the Just Cause and Desert Shield case studies, some of which have already been identified and developed in previous chapters, include the following: availability of reserve call-up authority, planning guidance and commander preference for volunteerism, unit integrity, family and employer support, gubernatorial consent, and force quantification (i.e., the limits of volunteerism). The first of these, availability of reserve call-up authority, is important since it represents the only alternative to volunteerism for the employment of reserve forces. Without call-up authority, commanders who need reserve support must resort, like it or not, to the use of volunteers.

This fact has no doubt caused concern for some Air Force commanders, but experience shows that this concern may be unjustified.

The second issue, Air Force planning guidance for use of a volunteer option during contingencies, remains significant for one reason: there is no guidance. Air Force regulations simply don't discuss volunteerism in any context other than peacetime alert, aircraft dispersal and other early actions necessary in conjunction with a call-up and mobilization of the reserves. In spite of this failure to plan for the use of volunteers, the ANG has managed to mount effective volunteer responses for past contingencies. What impact, then, does the lack of planning guidance have on the effectiveness of actual volunteer responses? When considering the degree of unit planning that might exist within the ANG for the use of volunteers, it also seems important to assess in the case studies how commanders of those units which provided volunteer support to Just Cause and Desert Shield/Storm felt about volunteerism. In other words, although lack of available call-up authority may leave no option but to attempt contingency support with volunteers only, what would ANG commanders prefer if they had a choice?

Unit integrity is the third important volunteerism issue for inclusion in our study of Just Cause and Desert Shield/Storm. The statutes require that reservists, trained as a unit, be called as a unit. This requirement does not exist in the statute which authorizes the use of volunteers. In the ANG, a federally recognized unit, as discussed in chapter 1, is usually squadron- or flight-sized. A requirement to call up an entire squadron to access a much smaller number of individuals needed for a tailored contingency response would, while maintaining unit integrity, create disruption and hardship on unneeded individuals. Though volunteerism allows efficient force tailoring, even the use of individuals, it can impact the integrity of the unit from which the volunteers are drawn. As you will see in our review of Desert Shield/Storm, the issue of unit integrity resulted in an unexpected development.

It seems logical that a group of Guardsmen volunteers serving on active duty would have fewer family and employer support problems than Guardsmen who had been involuntarily called to active duty. The fact that people volunteer implies that they have considered and minimized the importance of the possible negative impact their decision might have on both family and civilian employer. This reasoning process, in turn, tends to ensure the volunteer group consists of motivated individuals with less potential for problems on the home front. Just Cause was too short in duration to fully assess family and employer support for volunteers, which is often strong in the beginning but can rapidly dissipate. Desert Shield/Storm presented not only a better opportunity for study but also some surprising results.

The statutory requirement for gubernatorial consent when using National Guard volunteers was fully explored in chapter 2. This politically sensitive issue is a must for any study of the volunteer option. Here again, there was

an unexpected development during Desert Shield/Storm, one also related to the unit integrity issue.

Force quantification was the final issue identified for case study in the ANG volunteer response to Just Cause and Desert Shield/Storm. Force quantification is an attempt to gain some sense of the limits which might exist for the employment of volunteers during contingencies. Although not advocating that volunteerism be used for deliberate war planning but only for crisis action planning related to contingencies, force quantification also attempts to quantify, to the extent possible, the forces potentially available within the ANG for volunteer employment. This becomes extremely critical when presidential call-up authority is not available and commanders are forced to use the volunteer option. Just Cause's short duration makes it difficult for observers to draw many conclusions about force quantification, but Desert Shield/Storm offers some valuable insights about the limits of volunteerism.

Operation Just Cause

The American military invasion of Panama on 20 December 1989, code named Just Cause, was designed to capture Manuel Noriega and restore the rightful government of Panama. The conflict proved to be small, relatively intense, and short-lived, with only several days of fighting and a total of about 25,000 US military personnel involved. Presidential reserve call-up authority was not available for Just Cause, nor is there any indication that it was wanted or needed by the US Air Force. Interestingly, the US Southern Command (SOUTHCOM) had identified an urgent need for Army Reserve units not to fight but to assist with civil control and the reestablishment of the Panamanian government after the initial military objectives were achieved. On 19 December, a day before the invasion took place, an immediate message requesting a call-up of five Army Reserve units was sent to the Joint Chiefs of Staff.¹ For reasons never clearly articulated by DOD officials, call-up authority for this request was denied, apparently within the DOD and at a level below the secretary of defense. A decision to use 300 Army Reserve volunteers was not reached and communicated to SOUTHCOM until 26 December, well after the time they were needed in Panama.²

Although neither SOUTHCOM nor the Air Force attempted to incorporate ANG assets into their initial planning for Just Cause, both parties quickly realized that ANG assistance would be needed. Only hours before scheduled takeoff time for the Army's 82d Airborne Division invasion force, prepositioned US Air Force MAC aircraft at eastern bases were struck by a sudden and unexpected ice storm. These aircraft were unable to proceed with the mission until the ice was removed. MAC made an urgent request to the ANG for assistance. Both equipment and volunteers were dispatched from the 145th Tactical Airlift Group (TAG), Charlotte, North Carolina, and

the 105th Military Airlift Group (MAG), Stewart Air National Guard Base, New York. Workers quickly removed the ice from the MAC invasion force airlift aircraft, and these aircraft were able to complete their critical mission as planned.

That first ANG involvement in support of the contingency proved to be only the tip of the iceberg before Just Cause was complete. At the time of the invasion, the ANG routinely supported SOUTHCOM in Panama with fighter and tactical airlift aircraft. Beginning in October 1977, in response to an Air Force request and under a program named Volant Oak, the ANG had maintained a permanent presence in Panama with C-130 tactical airlift aircraft. This program was designed to provide tactical airlift support to SOUTHCOM and had been successfully maintained for more than 12 years by rotation of ANG and US Air Force Reserve aircraft and volunteer personnel through Howard Air Force Base (AFB), Panama. On 20 December 1989, the same day as the invasion, several C-130 aircraft from four ANG units and approximately 120 personnel representing a total of seven ANG units, were in place at Howard AFB. Before Just Cause ended, ANG volunteers provided SOUTHCOM with 178 tactical airlift sorties, many of them under combat conditions and on remote airstrips. In the process, ANG units had hauled more than 3,000 military and civilian personnel and more than 550 tons of supplies and equipment.³

Also in place at Howard AFB on 20 December was a detachment of ANG A-7 fighter aircraft. Under a program named Coronet Cove, which was similar in concept to Volant Oak, the ANG had maintained a permanent fighter aircraft alert presence at Howard since December 1978. During Just Cause, these A-7 aircraft provided close air support to US ground forces and performed other military missions. At the time of the invasion and until 23 December 1989, five aircraft and 56 personnel from the 180th Tactical Fighter Group (TFG), Ohio Air National Guard, provided 22 fighter sorties in support of US forces. On a normally scheduled rotation on 23 December, aircraft and personnel from the 114th TFG, South Dakota ANG—all volunteers for known combat conditions—replaced the 180th TFG and proceeded to fly an additional 54 fighter sorties to support the operation.⁴

The ANG's two strategic airlift units were both quickly put into volunteer service to move follow-on military personnel and equipment to Panama. The 172d MAG, Mississippi ANG, with their C-141 aircraft, flew 87 airlift sorties, moving 1,274 personnel and over 400 tons of cargo. Volunteers from the 105th MAG, New York ANG, used their C-5 aircraft to fly 14 sorties in approximately 168 flying hours, thereby moving 637 people and more than 1,000 tons of cargo for Just Cause.

The always active volunteers of the 193d Special Operations Group, Pennsylvania ANG, were also there, flying 19 sorties in approximately 137 hours. But probably the best illustration of both the volunteer spirit that existed in the ANG for Just Cause and the process through which volunteer responses are organized is the story of the 139th Aeromedical Evacuation Flight (AEF). In an after action report dated 21 December 1989, the

commander of the 109th TAG, New York ANG, indicates he was notified at home at 0100 hours on 20 December by the National Guard Bureau Contingency Operations Center and informed that "all available unit Aeromedical Evacuation crews were to be put on telephone alert at home, entered into crew rest and, with their concurrence, put on Title 10 United States Code (USC) 672(d) [volunteer] federal active duty."⁵ After starting a telephone recall for the 139th AEF, the 109th TAG commander then advised the state's adjutant general of the situation. It is not clear if the adjutant general immediately contacted the state governor or if he had been previously delegated the governor's approval authority. In either event, the adjutant general quickly gave the 109th TAG commander approval to proceed with the volunteer response effort.

By 0300 hours on 20 December, only two hours after initial notification, the 139th AEF reported that the first six crews had been formed and that they could be deployed as early as 1500 hours that same day (14 hours after notification). The commander of the 109th TAG goes on to state in his report,

Full-time medical technicians were then sent home and put into crew rest. Non-tasked personnel assumed their duties. Personnel continued to call in, and by 1130 we had sufficient volunteers to form three more crews. Since we are currently reporting sixteen mission-ready crews, the call-up response was 100%. No one asked to be excused. Individuals who were not part of formed crews, not fully qualified, or temporarily grounded for medical reasons, volunteered to perform any duty that would help the unit deploy effectively.⁶

Unfortunately, the 139th AEF alert was called off by the Guard Bureau's Contingency Support Center at 1522 hours that same day, so unit members were unable to deploy and demonstrate their readiness. This occurrence was probably a blessing in disguise due to the relatively small number of casualties the US suffered in Panama. The 109th TAG commander concludes his after action report with the following statement.

The 139th AEF fully validated their readiness status. They demonstrated that in a real-world situation they were capable of deploying 100% of reported personnel within 24 hours of initial notification without the benefit of a pre-mobilization buildup.⁷

Even more significant than the 139th AEF's readiness and timely response to their tasking is that this was possible without call-up authority but through the use of volunteers only.

Although the 100 percent volunteer response experience of the 139th AEF might seem almost unbelievable, the experience is indicative of the volunteer spirit demonstrated by every ANG unit requested by the US Air Force to help out during the Just Cause contingency. In his message to ANG personnel concerning Just Cause, Maj Gen Philip G. Killey, director of the ANG, included the following comments.

Unseen in the action is the story of those who didn't participate. Our phone rang off the wall with units wanting to volunteer. We were flooded with calls from commanders saying they could generate people and airplanes.⁸

Those ANG units that did see action were quickly integrated for command and control with their active US Air Force counterparts, making it virtually impossible to distinguish between regulars and reservists. The air component commander at SOUTHCOM, Lt Gen Peter Kempf, has indicated his complete satisfaction with the performance of ANG personnel and aircraft during Just Cause.⁹ The ANG's and the Air Force Reserve's ability to effectively perform active duty Air Force missions as volunteers in peacetime or during contingencies has led one defense expert to refer to this phenomenon as "a silent call [in which] mobilized Air Force reserves are flying airlift and tanker missions, providing the C-130 airlift and A-7 fighter support to US Southern Command and providing half the crews to fly Military Airlift Command aircraft."¹⁰

In summary, a total of 18 ANG units participated in or were alerted for possible action in Just Cause. Units that did see action contributed hundreds of fighter, airlift, and special operations sorties to the US military effort. These volunteers were willing to provide their services, if necessary, even during the most important family holiday seasons of the year. For every volunteer, there were literally hundreds of others willing to take their place.¹¹ State governors gave their timely approval for each volunteer response. Presidential reserve call-up authority was not available for Just Cause and, though not requested by the Air Force, had been requested by SOUTHCOM for the Army Reserve and denied by the Joint Chiefs of Staff. Some Reserve leaders decried the DOD decision against mobilization, but it represents the reality of the political barriers to making such a decision.¹²

Just Cause amply demonstrates the viability of the volunteer option as a method to employ ANG forces, as small units, in contingencies. ANG units were not included in the planning for the initial military assault, but they were quickly and effectively employed when the need became apparent. Volunteer response to the contingency was no doubt aided by the popularity of Just Cause with the general US population and its proximity to America. The relatively short duration of the operation makes it difficult to assess the limits of the volunteer response. To assess those limits and further explore the issues surrounding this important option for employing military reserve forces, let's turn our attention to Desert Shield.

Operation Desert Shield

When Saddam Hussein's Iraqi forces invaded Kuwait on 2 August 1990, they touched off a regional military crisis for the United States that was larger in scope than anything since the Vietnam War. President George Bush quickly made the decision for a US military response to the crisis, code named Desert Shield. The total number of US military personnel stationed in the Persian Gulf area grew eventually to more than 500,000. The US military response began on 7 August, but the president did not grant military officials reserve call-up authority until 22 August 1990. His

decision marked the first time 10 USC 673(b), reserve call-up authority, also known as the 200K authority, had been used since becoming law in 1976.

Well before call-up authority was available, US Air Force planners identified the need for ANG assistance with the massive military buildup and coordinated their requests through the National Guard Bureau. ANG strategic airlift and air refueling aircraft, comprised of volunteers, were some of the first US Air Force assets to arrive in the theater. As Air Force requirements escalated, the number of ANG volunteers continued to grow. By 10 September 1990 the total number of ANG volunteers that supported Desert Shield had grown to 3,035. On that same date, nearly one month after the president had authorized call-up authority, only 370 ANG personnel, representing two strategic airlift squadrons and one mobile aerial port squadron, had been involuntarily called to active duty by the Air Force.¹³

With the available call-up authority, the number of Air Guardsmen involuntarily dispatched to active duty continued to increase, while the number of volunteers remained relatively constant. In some cases, personnel who had previously volunteered were converted to call-up status. On 5 December 1990 ANG volunteers (2,850 in all) continued to serve on active duty to support Desert Shield, while the number involuntarily called had increased to 1,204.¹⁴

Unlike most US Air Force MAJCOMs, which have large staffs to coordinate a relatively small number of different weapons systems, the NGB serves as a focal point for coordination of ANG weapons systems capabilities which cut across MAJCOM organizational boundaries. The NGB's coordination responsibilities—potentially 54 states and territories and hundreds of unit headquarters—can become extremely complex during a contingency, especially one involving a volunteer response.

It appears that Air Force requests for ANG unit volunteer responses to Desert Shield did flow through the NGB to the units concerned. These requests were generally preceded by a series of *what if* questions to the unit commanders to establish what might be reasonably possible to request. The relatively recent installation of secure voice telephones at most units and state headquarters greatly eased timely communication of classified information. Some commanders indicated that the lack of an available classified FAX machine within the unit compounded difficulties with "hard copy" communications. Such a capability would have both saved time and facilitated coordination. It was apparent that ANG liaison officers at the gaining MAJCOM headquarters also played critical roles in assessing individual unit capabilities and communicating that information to planners at the MAJCOMs and in the theater. Formal requests for volunteer support were directed to the unit commanders and, because of advance coordination by NGB staffers and liaison officers, usually came as no surprise to those commanders. The request to the unit was often preceded by a call from a senior NGB officer to the state adjutant general, but this was not always the case. It appears that in every case, however, the unit

commanders themselves were quick to notify their state headquarters for the necessary approval.

Even under the best of circumstances, a contingency of the magnitude of Desert Shield generates a great deal of confusion. This situation was not helped by the complete lack of Air Force guidance concerning the employment of ANG volunteers as outlined in AFR 28-5, *USAF Mobilization Planning*. This regulation is the bible for Air Force and MAJCOM personnel who plan for the use of air reserve forces. AFR 28-5 does not envision the use of volunteers for contingency responses and therefore does not contain procedures or information to access reserve volunteers. The regulation briefly mentions volunteers in a paragraph entitled, "Volunteers for Defense Readiness Conditions (DEFCON)," and only anticipates the use of volunteers to expand US air defense alert or to support MAJCOM single integrated operational plan (SIOP) and dispersal operations.¹⁵

A pending change to AFR 28-5 should clarify much of the confusion and misunderstanding among Air Force commanders and planners about the effective use of ANG volunteers. A proposed change to the regulation has been developed by the NGB, coordinated with the Air Force Reserve, and was submitted to the Air Force in July 1990. This change greatly amplifies existing guidance and establishes the Air Force contingency support staff (CSS) director of the NGB cell as the ANG volunteer force coordinator. If the CSS is not operational, the office of the National Guard Bureau located at Andrews AFB, Maryland, serves as the single point of contact for ANG volunteer force coordination.¹⁶

With Desert Shield, once the initial NGB coordination and state headquarters approval had been accomplished, most of the unit commanders preferred to work directly with their gaining MAJCOM or end user. For example, coordination activities after the initial approval process that involved 12 separate ANG air refueling units—all in support of the contingency with aircraft and volunteers—became so complex that these activities were delegated from Headquarters Strategic Air Command to the Eighth Air Force and eventually, by mutual agreement, to the 190th Air Refueling Group, Kansas ANG.¹⁷ Operational control of ANG volunteer forces, in all cases and apparently without problem, was transferred to the active Air Force. Strength accountability and all administrative support for the volunteers (to include financial) remained with the home ANG unit.

Administrative coordination problems, financial problems in particular, were encountered by one Tactical Air Command-gained unit which was making a significant volunteer response effort. Since the gaining MAJCOM is responsible to provide both funds and workdays to support ANG volunteers who perform active duty missions, it fell to unit support personnel to work resource issues, process volunteers, and publish the necessary active duty orders once initial NGB volunteer tasking had been coordinated. Obtaining the necessary military personnel appropriation (MPA) resources proved to be a time-consuming and complex task for unit administrative personnel who could have used more support from the NGB staff. Some

creative administrative practices got the volunteer group deployed on time but also set the stage for subsequent legal questions which damaged the morale of the deployed volunteers. The lack of specific Air Force procedures and guidance for volunteer responses to contingencies no doubt contributed to MAJCOM confusion over resource questions.

As discussed earlier, 10 USC 672(d), the authority under which ANG volunteers are placed on active duty, requires the consent not only of individual Guardsmen but also of the state governor concerned. My research revealed no instance in which timely gubernatorial consent was not forthcoming for unit commanders who organized volunteer responses. Governors paid special attention to the actions of their state Guard volunteers for Desert Shield. In at least two states, the governors sent personal letters of appreciation to volunteers and their families. In several states the governors visited unit volunteers as they prepared for departure. Press releases were coordinated by the state headquarters for release by the governor's office. On several occasions, the governors issued press statements that supported the volunteer effort. Often, the print media lost the distinction between volunteerism and a call-up to active duty—they treated nearly every departure as a call-up.

Although the statutes provide for volunteerism when both the individual and the governor consent, most states do not have a written policy concerning volunteer programs. For states with ANG air refueling and air defense units, the Air Force has initiated formal volunteer preconsent agreements between Air Force commanders and the appropriate state governor. As mentioned in the AFR 28-5 discussion earlier in this chapter, these preconsent agreements anticipate volunteerism only in conjunction with changes in the DEFCON affecting SIOP, aircraft dispersal, or air defense readiness. Therefore, these agreements have narrow policy application for contingencies. One exception is a preconsent agreement between the US Air Force Special Operations Command and the governor of Pennsylvania. This agreement is apparently not tied to specific preconditions but allows the use of personnel from the 193d Special Operations Group, Pennsylvania ANG, anytime they are available and willing to assist the Air Force. In this situation, the preconsent agreement serves as a policy statement that establishes strong state support for volunteerism.

The need for written state policy pertaining to volunteerism is pointed out by the experience of a group commander from one southeastern state. This commander had been requested by NGB to organize a volunteer response force for Desert Shield. The commander contacted a subordinate squadron commander in a neighboring state to obtain needed volunteers with specialized skills. After the squadron commander had coordinated with his own state headquarters, he discovered that his state senior Guard leadership did not support the volunteer response effort and therefore reported to the group commander that none of his people were available. Apparently, the squadron commander's home state had a policy against volunteerism for Desert Shield. This policy was based on concerns over unit integrity. If

needed, the volunteers were willing and available, but the commanders wanted their people to be called as a unit. Indeed, units from this same state were later involuntarily called up, in part because their combat UTCs had a full complement of critically skilled people. Other combat UTCs in that group, connected with squadrons located in neighboring states, were not available for call-up because critical personnel were already serving as Desert Shield volunteers.¹⁸

With the exception of state preconsent agreements, it was apparent that few states or ANG units have developed local procedures to better prepare for volunteer responses. Many of those interviewed thought that better preparation at the unit level would definitely be helpful but were hesitant to recommend formalized procedures. Most ANG commanders have served in or commanded their units for many years and therefore felt they could easily predict the response of their people to a request for volunteers. Informal prescreening of personnel might be helpful but is not, in their opinion, essential.

A much greater concern to some commanders was the inadequacies of Air Force preplanned UTCs for tasking the combat capabilities of many ANG units. Air Force planning, prior to Desert Shield, had envisioned the mobilization or call-up of ANG units by unit identification code (UIC) but with combat tasking by UTC as previously discussed in chapter 2. Most ANG flying units are organized for combat by UTCs, which provide for combat use of most of their personnel and virtually all the assigned aircraft. Aircraft war readiness spares kits (WRSK) are prepackaged to support all deployed aircraft, and the unit's mobility plan is usually based on the deployment of a full complement of required personnel and aircraft in a timely manner. In many cases, volunteer responses to Desert Shield were not requested by existing UTC but, instead, required the special tailoring of a response package to meet specific Air Force needs. This can significantly reduce the number of personnel required, but it also greatly compounds logistical planning difficulties for some units.

Due to a unique camera system capability, the 117th Tactical Reconnaissance Wing (TRW), Alabama ANG, was specifically asked by senior Air Force officers to organize and deploy a volunteer unit to support Desert Shield. At the time of this request, only a couple of days after the president's decision for a US military response to the crisis, reserve call-up authority was not available. The only Air Force recourse to access this ANG capability was to use the volunteer option.¹⁹ The governor and senior ANG leadership within the state totally supported the request. Although the unit had organized and trained for the combat employment of all 18 assigned unit-equipped aircraft, the Air Force requested only six aircraft with the number of personnel left to the discretion of the unit commander. About 115 personnel were initially selected from a much larger number that volunteered. The requirement to tailor unit mobility plans from 18 aircraft to six aircraft significantly compounded problems normally associated with the accomplishment of a timely deployment. One ANG officer indicated the

requirement to tailor a UTC would have added three days to the time required to deploy.²⁰ As it turned out, delays in obtaining support airlift prevented the UTC problem from being more serious. This case, however, points out the need for more flexibility in preplanning for combat employments. UTCs should be designed for all flying and ground units to provide flexibility in the contingency tasking of tailored unit response packages.

The volunteer unit from the 117th TRW was scheduled to be replaced in Desert Shield by a similar package of volunteers from the 152d Tactical Reconnaissance Group (TRG), Nevada ANG. Since call-up authority was then available, the Air Force, in coordination with the NGB, decided to involuntarily call members of the 152d TRG to active duty rather than to employ them as volunteers. The call-up would be based on a 150-person, six-aircraft UTC, similar to the UTC developed by the volunteers from the 117th TRW. This tailored UTC was being used by the 152d TRG to organize their volunteer response and led to an interesting development in the use of volunteerism for contingency responses. The 152d TRG commander could now allow qualified members of the unit to volunteer for call-up. This development certainly added a new twist to the volunteer concept and led to an even more amazing development. All 150 members of the 152d TRG who had previously volunteered to deploy to Desert Shield for 90 days further volunteered—without exception—to be involuntarily called to active duty and serve for 180 days to support that contingency.²¹ Two significant financial advantages to a call-up include being able to secure a loan at a 6 percent rate of interest instead of a higher rate and banks setting the percentage rate for debts at 6 percent.

This new concept in volunteerism—that is, Guardsmen volunteering to be involuntarily called to active duty to support a contingency—was used effectively by at least one Air Force gaining MAJCOM during Desert Shield. A Headquarters Tactical Air Command (TAC) message, dated 21 December 1990, citing 10 USC 673(b) authority, successfully called a total of 30 Air Guardsmen from 12 different tactical fighter units to active duty for "a period not to exceed 180 days."²² The message implemented an NGB-coordinated plan to provide personnel augmentation for several other ANG tactical flying units called to active duty for Desert Shield under the 200K authority. Why these 30 individuals were called under 200K authority and not processed as volunteers under the authority contained in 10 USC 672(d) remains unclear.

This same TAC message provided for the call-up of a single individual from a UTC comprised of 32 personnel.²³ The person being tasked was not named in the message, and the unit commander could, presumably, have selected any one of the 32. In my view and the view of several commanders who were contacted during this study, this involuntary call-up of individual Guardsmen under the 200K authority, if not illegal, at least establishes a dangerous precedent which could seriously threaten ANG unit integrity. By using the 200K authority instead of the volunteer option, the Air Force can circumvent the requirement for both individual and gubernatorial

consent. Although this almost certainly was not the motive for using the 200K authority in this case, in my opinion, the action still is questionable. The issue is not whether to support Air Force needs, but rather, how to best meet those needs. The 200K statute indicates that individual reservists, trained as part of a unit, are to be called to active duty with their unit. This provision of the statute recognizes the importance of unit integrity when employing reserve units. The existing ANG unit identification code organizational concept, which would require an entire squadron to be called to gain access to anyone in that squadron, is clearly too restrictive. The use of UTCs—even tailored UTCs—proved to be a reasonable unit integrity compromise. But the mere referencing of a UTC, which contains numerous personnel, only to gain access to a few, or even to one of those individuals, in my opinion, takes the practice too far.

When asked for their preference if given the choice between a call-up or the use of unit volunteers, ANG commanders basically fell into two categories. Strategic airlift and aerial refueling unit commanders, capable of rotating their personnel into and out of the theater every few weeks, generally preferred to support Desert Shield with volunteers. In a survey conducted within the ANG refueling community, 10 out of the 12 unit commanders indicated their preference to continue volunteer support rather than to be called up.²⁴ A similar opinion was expressed by a strategic airlift unit commander even though part of his unit had already been called up.

Commanders of units who, due to the nature of their mission or type of aircraft possessed, could not easily rotate personnel into and out of the theater usually preferred to have their units called up. Personnel in one unit experienced significant employer and family support problems due to the indefinite nature of their volunteer status. Individuals from that unit volunteered to deploy to Desert Shield without a clear understanding of how long they might be required to serve. As time went on, unit members came under increasing pressure from both families and employers to return home. Apparently, some employers, even though the reemployment rights of volunteers are the same as if they were called up, became impatient and began to question the reason unit members were deployed to Desert Shield as volunteers. A number of family members reacted similarly. The situation reached a point where the deployed unit commander contacted his home state to get the volunteers involuntarily called to active duty. This request was supported by the state but apparently not approved by NGB.²⁵

Other reasons were advanced as to why—when timely rotation of unit personnel was not possible—the call-up option would be preferred. Among these were perceptions that benefits and entitlements would provide better protection for called-up Guardsmen and their families; that asking people to volunteer places undue pressure on them, forcing them to choose either family and employer or country; and that since almost always more people volunteer than are needed, a unit morale problem develops for those left behind. Even though commanders preferred call-ups when faced with

longer deployments, they noted that many ANG units which participated in Desert Shield demonstrated a remarkable ability to sustain the level of their volunteer support.

Some of those units supported Desert Shield/Storm with volunteers for a period of longer than six months. Because of the numerous variables involved with the types of duties and missions performed by volunteers, it is difficult to quantify the limits of a volunteer response to a particular military contingency. Just Cause was both of short duration and relatively close to America, while Desert Shield represented a near "worst case" contingency scenario due to its great distance from the United States and austere location. For that reason, one could reasonably argue that what was accomplished by the ANG with volunteers in Desert Shield could also be accomplished in future contingencies throughout the world.

When asked to assess the limits of volunteerism, ANG unit officials were hesitant to give definitive answers but generally agreed that volunteer capabilities were situational. A key factor in the organization of any ANG volunteer response is whether unit personnel can be rotated easily into and out of a theater every few weeks. If so, from 5 to 10 percent of a unit's personnel could be available, through rotations, for an extended period. If other like-equipped ANG units were combined, the total level of support available to a theater commander would be significant. For example, 12 ANG air refueling units combined their volunteer efforts during Desert Shield to make available seven-tanker task forces for Air Force use. Those units committed to provide that level of support, entirely on a volunteer basis, for as long as six months.²⁶ That volunteer commitment was heavily used by the Air Force for nearly four months before escalating Air Force needs eventually forced a decision to call up most of those same air refueling units. Although a few of those tanker units were experiencing some strain, in the judgment of some of the commanders, the seven-tanker task force level of volunteer effort might well have been sustainable for an indefinite period of time. One strategic airlift unit commander indicated that his unit could have made four out of 15 total authorized augmented aircrews available to support Desert Shield/Storm for an indefinite period of time. This same unit also used an average of more than 100 volunteers per day at their home station to augment their full-time work force and to support a three-shift operation needed to keep up with MAC airlift tasking. It was only after MAC stated that all assigned aircrews would be required for at least 60 days that the need to call up this unit's flying personnel became apparent to the Air Force.²⁷

Limits to volunteerism—where timely rotation of unit personnel is not possible—can best be demonstrated by the efforts of the ANG's tactical reconnaissance community in support of Desert Shield. As briefly mentioned earlier, the 117th TRW provided a six-aircraft volunteer response package. This was quickly accomplished, and even though deploying for an unknown period of time, the unit had far more volunteers than the 115 initially required. The group of volunteers selected consisted of ap-

proximately 75 percent full-time personnel. After several months in the theater, and since it appeared the contingency could last for an extended period of time, the 117th TRW began to organize a second group of volunteers to replace the original group. Approximately 95 percent of the second group of volunteers had been identified when the NGB decided to set up a rotation plan which included other ANG tactical reconnaissance units.²⁸

The NGB published a Desert Shield tactical reconnaissance rotation schedule in a 6 November 1990 message.²⁹ This schedule had the concurrence of both the governor and adjutant general of each state where the ANG's six tactical reconnaissance units are located. Obviously, the schedule also had the approval of the director of the ANG. Based on 90-day rotations, these units had committed to maintain at least six RF-4C aircraft and approximately 150 volunteer personnel deployed to Desert Shield for a period of 18 months. The plan was never implemented, however, due to an Air Force decision to involuntarily call an ANG tactical reconnaissance unit to active duty for 180 days. The reason for this call-up decision is unclear, but it may have come from the theater commander's desire to have more stable deployed forces. Under the volunteer replacement plan, the first replacement unit scheduled to deploy was the 152d TRG, Nevada ANG. As previously mentioned, this unit had already organized 150 volunteers to deploy for 90 days under the plan. It had over 600 volunteers, nearly 75 percent of their entire unit, for the 150 required positions. When faced with the call-up decision instead of volunteer rotations, all 150 previously selected volunteers agreed to be involuntarily called to active duty for 180 days.³⁰

A final area covered in telephone and personal interviews dealt with unusual or unexpected legal problems which might have developed as a result of volunteerism. Although nothing serious was identified, one problem is worth mentioning. A problem developed for one unit due to the manner in which active duty orders were cut for volunteers. Even though the unit's personnel volunteered for an indefinite tour of duty, technical financial resource constraints dictated that the orders initially be cut only for a short period (several weeks) until the end of the fiscal year. These orders were later amended to include an additional period of active duty but without personal notification to the volunteers involved. This action, in turn, created a morale problem within the unit which might have been avoided. The lesson here is that volunteers should be given specific information concerning tour length, and the orders should be cut with realistic target dates. The administrative extension of orders creates a window of opportunity in which individual volunteers can properly withdraw their consent, required under the statute, to continue service as a volunteer. One unit did have an officer attempt to withdraw his volunteer

consent even though he had fully agreed to the tour of duty specified by his current orders. A replacement was readily available, and rather than force the individual to serve, he was given a choice by the unit commander to stay deployed or resign from the unit. The officer elected to resign.

The above narrative concerns some important aspects of the ANG experience with volunteerism in Just Cause and Desert Shield/Storm and probably generates more questions than it answers. Further, with an activity which depends so heavily on good will and human nature, as volunteerism does, it is difficult to draw any finite conclusions concerning this interesting subject. Nevertheless, this study still offers some important and potentially helpful general conclusions. These conclusions should prove useful to Air Force commanders and planners who face the uncertainties of future contingencies and need the support of the Air National Guard. The next chapter outlines those conclusions along with recommendations which could make the volunteer option more effective.

Notes

1. Frederick C. Oelrich, "The 200K Call-up: Myth or Reality?" in *ROA National Security Report*, September 1990, 13.
2. *Ibid.*
3. Director, NGB-SFO/PAH, Falls Church, Va., After Action Report: ANG-PA, Operation Just Cause, 25 April 1990.
4. *Ibid.*, 3.
5. Commander, 109th TAG, New York ANG, After Action Report: Operation Just Cause, 21 December 1989.
6. *Ibid.*, 1.
7. *Ibid.*, 2.
8. "Panama: The Rest of the Story," *The Mockingbird* (a publication of the 172d MAG, Mississippi ANG) 17, no. 3 (March 1990): 1-2.
9. Lt Gen Peter Kempf, commander, 12th Air Force, personal interview with Lt Col Bob Blunden, Air University Center for Aerospace Doctrine, Research, and Education. This interview was conducted at Bergstrom AFB, Tex., August 1990.
10. Oelrich, 13.
11. Overwhelming availability of volunteers is further documented in official unit history reports and conversations with unit commanders.
12. Maj Gen Charles M. Kiefner, "President's Message: The Nonmobilization of the Guard for Operation Just Cause," *National Guard* 44, no. 8 (August 1990): inside cover.
13. This information was provided in a telephone interview with ANG military personnel officials (NGB/DP), Andrews AFB, Md., 17 September 1990. (Officials asked to remain anonymous.)
14. *Ibid.*, 5 December 1990.
15. AFR 28-5, *USAF Mobilization Planning*, 29 May 1980, par. 9-10.
16. NGB/XO to AF/XOOIX, letter, subject: Proposed Changes to AFR 28-5, par. 14-2, 19 July 1990.
17. Information provided by two ANG air refueling unit commanders, interviews with author, 29 November 1990. (Interviewees listed here and interviewees in subsequent notes asked to remain anonymous.)

18. Telephone interview with an ANG group commander, 6 December 1990, and confirmed in a telephone interview with the concerned state's air assistant adjutant general, 24 January 1991.
19. Acting commander of the 117th TRW, Alabama ANG, interview with the author, 8 December 1990.
20. Ibid.
21. Chief of Staff, Nevada ANG, interview with author, 10 December 1990.
22. Message, 211625Z, TAC Headquarters to A7 Tactical Fighter Units, Air National Guard, 21 December 1990.
23. Unit commander, a midwestern ANG unit, interview with author, 11 February 1990.
24. Two ANG air refueling unit commanders, interviews with author, 29 November 1990.
25. Senior ANG officers at Headquarters, Alabama ANG, interview with author, 1 December 1990.
26. Senior NGB officials and air refueling unit commanders, interview with author, 29 November 1990.
27. Commander of the 172d MAG, Mississippi, interview with author, 7 December 1990.
28. Acting commander of the 117th TRW, Alabama ANG, and officials at the Idaho ANG state headquarters, interviews with author, 8 December 1990.
29. CSS message, R061557Z, National Guard Bureau, Andrews AFB, Md., to 124th Tactical Reconnaissance Units, 6 November 1990.
30. Chief of Staff, Nevada ANG, interview with author, 10 December 1990.

Chapter 4

Conclusion and Recommendations

With the growing unrest in a number of Soviet republics and the potential for conflict in other regions of the world as well, it is difficult to imagine a continued reduction in the size of US active duty forces. Nevertheless, the decline of communism in Eastern Europe and the resulting breakup of the Warsaw Pact—combined with the overwhelming budget problems facing the United States—has led to a post-Desert Storm continuation of planned active duty force reductions. The world power structure is changing in such a manner that the United States, by default if not by design, has clearly become the world's only true superpower. This outcome not only guarantees but dictates America's dominant role in world national security affairs for the foreseeable future. Yet, the world also continues to be a dangerous place, with the greatest threat to America's security interests coming from regional instabilities. With these realities in mind, it is possible to make two conclusions about the future of the US Air Force. First, the Air Force will focus a significant percentage of its combat capability toward fighting future conventional low- and medium-intensity regional contingencies. Second, the Air Force will rely even more on its reserve components to accomplish that mission.

The US Air Force has developed its reserve components into two of the most combat-ready reserve organizations in the world. Further, it has devised detailed plans and procedures for mobilizing its reserves to augment active duty forces during periods of crisis or of national emergency. These mobilization procedures are predicated on the availability of congressional or presidential reserve call-up authority. Perceived inflexibility of federal statutes for the call-up of reserve forces during contingencies led to the adoption of new legislation in 1976. This new legislation, now called the 200K call-up authority, allows the president to involuntarily call up a maximum of 200,000 reservists for up to 180 days. It also plays a key role in US Air Force contingency planning for the use of reserve forces.

For nearly 15 years after enactment of the 200K law and after numerous contingencies that required the utilization of reserve forces, the 200K call-up authority was used for the first time during Desert Shield/Storm. During earlier contingencies, in the absence of a call-up authority, the Air Force relied on reserve volunteers. The political constraints associated with obtaining a presidential reserve call-up decision brings into question the planning assumption that reserve forces will be available through a 200K call-up to support future contingencies. In view of this and without further

changes in the statutes, one can reasonably assume that call-up authority will not exist for the majority of future contingencies the Air Force will be called upon to support. Reserve support to the Air Force for these contingencies must therefore continue on a volunteer basis.

A major focus of this study has been an analysis of the volunteer participation and support to the Air Force provided by members of the ANG during two recent contingencies—Operations Just Cause and Desert Shield/Storm. From that analysis, it is possible to draw several conclusions about volunteerism as a method to employ ANG personnel and equipment. First, in the absence of call-up authority for Just Cause and in the case of Desert Shield/Storm, even with call-up authority eventually available, the ANG provided both the Air Force and the theater commanders with significant levels of volunteer support. This support clearly demonstrated the usefulness of volunteerism as a method for the employment of military forces. Second, the dual realities of a smaller active duty Air Force, more reliant on its reserve forces, and the unlikelihood of future reserve call-up authority, dictate that increased utilization must be made of the volunteer option. Third, in spite of past successes, current US Air Force planning and procedures are virtually silent concerning volunteerism as a contingency response option for employing reserve forces. Finally, the potential effectiveness of the volunteer option is decidedly situational, and there are obvious limits to what can be accomplished by using ANG volunteers.

During Just Cause the theater commander requested reserve call-up authority, but it was denied. Nevertheless, several hundred Guard volunteers responded to Air Force requests for support. Hundreds of tactical fighter and airlift missions were flown or supported by volunteers sent to Panama. Others performed strategic airlift missions into Panama or supported Air Force requirements in the Continental United States (CONUS).

In the early stages of Desert Shield, several thousand ANG volunteers generated and flew thousands of air refueling and strategic airlift sorties in direct support of the US military response to the Persian Gulf. This volunteer action started on 7 August—well before the presidential reserve call-up decision was made on 22 August—and continued throughout the contingency. When the air campaign began on 16 January, 5,700 Air Guardsmen—many of them already serving as volunteers—had been involuntarily called to active duty, and an additional 1,300 were still serving as volunteers. The response and performance of ANG volunteers for Just Cause and Desert Storm amply demonstrate the effectiveness of the ANG volunteer option.

As future contingencies materialize, the US Air Force will need to respond rapidly. A smaller active duty Air Force will contain fewer forward-deployed forces. US military doctrine, which places high value on air superiority, will continue to dictate that Air Force units be among the first to deploy to a troubled region. Rapidly deployable ground forces with their massive airlift requirements will also place heavy demands on Air Force resources from the onset. As with previous contingencies, especially in view of

planned active Air Force reductions, challenges of the future will demand that the Air Force receive some help from its reserve forces. Even if a call-up decision is eventually forthcoming, as it was for Desert Shield, it almost certainly will be several weeks before such authority can be obtained and the call-ups completed. The only recourse to Air Force planners and commanders under this scenario is the early use of reserve volunteers.

Although volunteerism has worked well in the past, its usefulness has not been due to effective planning. Volunteerism, as a form of military reserve force employment, remains almost totally unrecognized by military planners. The lack of planning exists not only in the Air Force but also within the states and the ANG units themselves. As stated earlier, except for air refueling and air defense alert requirements associated with increases in the DEFCON, there is little US Air Force guidance on volunteerism and virtually none for contingency response. The Air Force needs to expand planning guidance to include volunteerism for contingency responses. Adoption of NGB-proposed changes to AFR 28-5 would be a good start.

Formal volunteer preconsent agreements between the states and the Air Force gaining MAJCOMs, designed to be used during periods of heightened tensions which require DEFCON changes, have been used with some success. This practice needs to include contingency response provisions to serve two important purposes. First, the practice would force the state or territory in question to establish its own policy for volunteerism. One state which had volunteers to serve in Desert Shield discontinued the volunteer option as a matter of policy. The adjutant general of that state was apparently the person who made the policy decision. How many other states might have a similar policy is unknown, but a well-designed, preconsent agreement would ensure each state's policy was formulated and understood by both the NGB and the gaining MAJCOM. Second, a preconsent agreement eliminates any uncertainty concerning the statutory requirement for the appropriate governor's consent when Guardsmen from his or her state volunteer for active duty. The governor's consent requirement did not, however, become an issue during either Just Cause or Desert Shield/Storm. Preconsent agreements will ensure that this statutory consent requirement does not become an issue for future contingencies.

Much more can be done at unit level as well to improve volunteer response actions. Most units surveyed in this study did not have established procedures for mounting volunteer responses. A few had screened some of their personnel, but most commanders chose to decide subjectively what level of effort was possible in response to NGB or MAJCOM requests. While this procedure has apparently worked fairly well in the past, prescreening of unit personnel could serve more than one purpose. First, it would obviously help the commander to respond more reliably to the inevitable *what if* questions which usually precede a formal request. Second, prescreening could help quantify, for NGB and MAJCOM planning purposes, the level of volunteer support potentially available under various

contingency scenarios. Apparently, at one time, ANG volunteer air refueling alert personnel were required to sign volunteer preconsent agreements. I certainly do not advocate that volunteer planning and prescreening at unit level should be expanded to include such an administratively burdensome requirement. Further, no procedure should be adopted which might give Air Guardsmen the impression that nonavailability for volunteer service could negatively impact their careers.

Although precise quantification of volunteer force availability is impossible, it is possible to draw several generalized conclusions about force availability. First, both traditional Guardsmen and full-time personnel have the same propensity to volunteer. That is, volunteer responses from units, with few exceptions, tend to reflect the same relative percentages of traditional and full-time Guardsmen assigned to that unit.

Second, the number of volunteers available from a given unit is situational and seems to depend most on mission and tour lengths. Several commanders reported they had much more difficulty finding volunteers willing to perform peacetime jobs vacated by active duty personnel who were deploying to a contingency. The response was clearly more positive when the volunteers believed they would personally support the contingency.

Third, units that could perform their missions and still rotate aircraft and send volunteer personnel home every few weeks sustained their volunteer efforts more easily. Sometimes their responses involved more than 30 percent of assigned aircraft for periods beyond six months. Commanders of units which lacked an inherent ability to rotate their personnel every few weeks estimated an ability to generate volunteer responses of up to 25 percent of assigned personnel for periods of 90 days. The availability of additional similarly equipped ANG units, scheduled as replacements, would greatly expand the time such volunteer support could be sustained. For example, five ANG tactical reconnaissance units were collectively committed to support a requirement to maintain six RF-4C aircraft and 150 personnel in the Persian Gulf area for a period of more than 18 months, if necessary.

Several other findings are beyond the scope of this research but deserve further study. When reviewing the federal statutes which authorize both voluntary and involuntary employment of reserve forces, I discovered a provision in the 200K legislation which, if literally applied, would require virtually all ANG call-ups to occur only by unit. The structuring and identification of ANG units usually occur at the squadron level, and this would have dictated the call-up of a relatively large number of people to obtain the smaller number actually needed. That requirement had been established before the Iraqi invasion of Kuwait and the first-ever utilization of the 200K statute. In executing the ANG 200K call-ups that followed, US Air Force leadership elected in some cases to call up Guardsmen by war-planning UTCs, which generally involve smaller and more precise groupings of personnel possessing needed skills. This interpretation of the

statute caught many ANG commanders and adjutant generals by surprise, but it seems to have worked well. One concern is that Air Force leadership could use this technique to access ANG combat personnel but not ANG senior officers who serve at unit level. The 200K statute authorizes the president to "order (involuntarily) any unit, and any member not assigned to a unit organized to serve as a unit, of the Selected Reserve to active duty." Historically, reservists have performed best when serving with their own units and under their own unit leadership. This writer contends that the use of UTCs for call-ups, while perfectly legal, should not be used arbitrarily. In at least one case during Desert Shield/Storm, even the use of a UTC to define a "unit organized to serve as a unit" for call-up purposes was ignored when a single individual within a 32-person aircraft maintenance (munitions) UTC was involuntarily called to active duty. Although this individual was in actuality a volunteer, the use of the 200K authority in this manner establishes a troublesome precedent and begs the question: What really constitutes unit integrity in the ANG for possible involuntary call-ups in the future?

A second finding which requires further study also concerns UTCs. War plans for employment of ANG combat forces center on UTCs which, when used in combination as designed, would result in a unit's primary assigned aircraft and most of its personnel deploying to the same location. This planning concept envisioned a major global conflict (e.g., between NATO and Warsaw Pact nations) and a massive reserve reinforcement response. Future contingencies will no doubt be on a smaller scale than this, requiring perhaps only six of 18 assigned tactical aircraft and a proportionate number of unit personnel. In the case of one tactical unit which mounted a down-sized volunteer response to Desert Shield, none of the existing UTCs or mobility plans were appropriate. War readiness spares kits had to be downsized and airlift load plans reaccomplished. These and other required actions could add several days or more to deployment times. US Air Force planners should give serious consideration to the development of optional mobility plans for selected units to provide for efficient tailoring of the forces required for smaller contingencies. For example, a unit with 18 primary assigned combat aircraft might have plans and WRSK that would allow a six-, 12-, or 18-aircraft deployment package to be quickly organized and deployed.

Employer and family support is critical to ANG recruiting and retention. During this study, the author found several indications that, over time, some Guard volunteers came under increasing pressure from both employers and families. Although the civilian jobs of volunteers are protected by the same laws that cover reservists who were involuntarily called up, commanders and employer support organizations should make every effort to ensure that employers understand the importance of volunteerism to national security. It is also important that volunteers, if possible,

be given specific information concerning active duty tour length. If the actual volunteer tour requirement is unclear, it is better for commanders to present the "worst case" scenario, and cut the active duty orders accordingly.

This study has demonstrated both the importance and effectiveness of the volunteer option as a way to access and employ ANG forces. The majority of ANG commanders I surveyed, while citing the situational aspect of any military response, prefer to have their units involuntarily called to active duty when the Air Force need is extensive. Unfortunately, call-up authority has historically not been available to support US Air Force contingency responses, many of which involved the ANG. It is also highly unlikely that such authority will be available for future contingencies. Many of those same ANG commanders are confident of their unit's ability to fulfill limited Air Force contingency tasking, perhaps in cooperation with other ANG units, while using a military force comprised entirely of volunteers. A smaller active duty Air Force in the years ahead will become increasingly reliant on its reserve forces, and the volunteer option will in all likelihood be "the only reserve game in town." It is time for everyone to fully recognize that reality and to plan accordingly.